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DR. MILNER'S

A P P E A L

TO

THE CATHOLICS

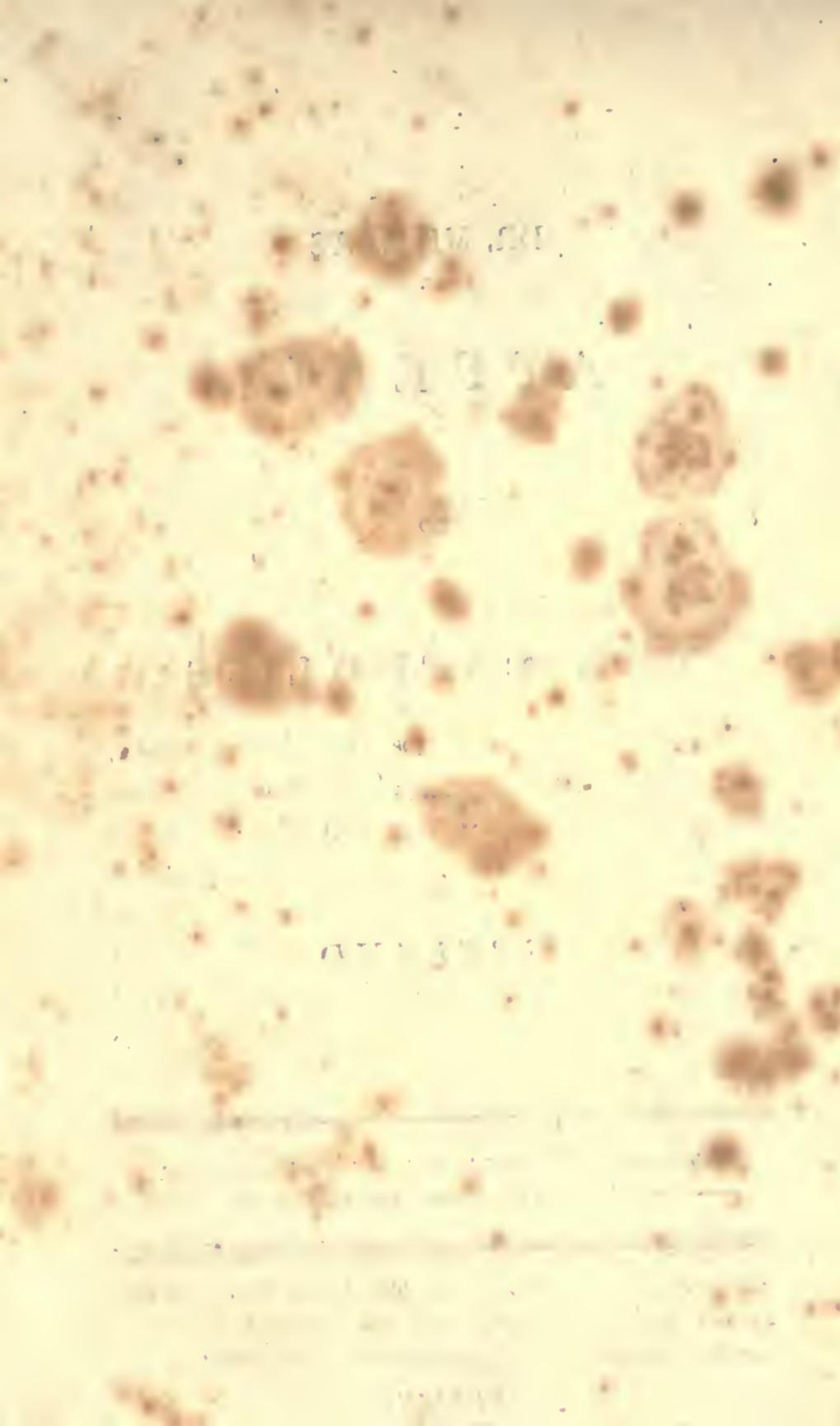
OF

IRELAND.

Without examination or knowledge of the truth, you have condemned.

— — — Return again to judgment. Daniel xiii. 48, 49.

DUBLIN:



DR. MILNER'S

BX
1905

M63ba

A P P E A L,

&c. &c.

MY CATHOLIC BRETHREN,

OVERPOWERED as I am, by the number and the diversity of my literary foes, rather than their force, it seems to me that I can disarm, if I cannot drive off, one of the most formidable bodies of them, if you will permit an individual, who has, for a considerable time past, devoted himself to your interest and service, now to appeal to your characteristical justice and generosity, and indulge him with a cool and deliberate hearing; for it is notorious, that I am unremittingly attacked in the front by the Musgraves, the Duigenans and their Orange bands,* whose unbounded indignation I have

B.

drawn

* See Sir Richard Musgrave's Remarks on my Tour, and Abraham Plymley's Answer to his Brother Peter, Le Mesurier's Bampton Lectures, and the different numbers of the Anti-jacobin or No-Popery Review.—This monthly publication

drawn upon myself, chiefly by fighting your battles. It is equally manifest that *I am*, on one hand, assailed and harrassed without ceasing, by a confederate band of Irish Catholic writers, who shew me no more respect or mercy, either as a fellow Catholic, or as a prelate of their church, than the Orangemen themselves do: and you will now, at least, learn that I am annoyed on the other hand, with weekly pamphlets, essays, and satyrs, by a desperate Gallic sect, who threaten, as well as insult me, because I will not acknowledge them to be Catholics, whilst they proclaim our venerable Pontiff, the exemplary Pius VII. and the great universal Church, in communion with him, to be involved in schism and heresy! I say, you will necessarily learn this now, because the champion of this sect, Abbé Blanchard, has recently appealed from my judgment, and that of his own bishop, to your prelates, in a book of 244 pages,* declaring at the same time, that he shall take their silence for an approbation of his doctrine. Behind me are _____, but as they

lication is the common vehicle of the anonymous calumnies and invectives of Dr. D. and Sir R. M. against Popery, and its defenders. See, in particular, the number which has just appeared for December last, in which the Orange writer makes common cause with my Catholic foes in Ireland.

* The author has very properly entitled his last production *Abus sans Example.*

they keep out of sight, I will not drag them into it.

Yes, my Catholic brethren of Ireland, for these six months and more—during which I have been chiefly taken up, as you will soon see, with prosecuting my former undertaking of illustrating your history and antiquities, of vindicating your apostle and ancient saints, of demonstrating the purity and truth of your religion, and of beating down the different adversaries who have risen up against it, of celebrating your national character, and more particularly, of defending your clergy and hierarchy, with all their divine rights and jurisdictions, to the best of my power, and at the risk of losing what is most valuable to me in this world—a confederate host of your Catholic writers have been employed in executing their threat, made in August last, of depriving me of my popularity; that is to say, of your affection and esteem. In the prosecution of this most uncharitable undertaking, they have kept no bounds in the malice of their insinuations, or in the grossness of their misrepresentations and calumnies. Do you fancy this an exaggerated complaint? Look at the hand-bills posted upon your walls, or dispersed through the post-office, over the two-islands; in which I am charged with being “an agent in selling your venerable “hierarchy to the highest bidder.” Happily for

my credit, but unhappily for that of our holy religion, two other prelates were associated with me in the charge; one of whom, probably the immediate head pastor of the calumniators, for his zealous and successful exertions in defence of this religion, has long been the common shooting mark of all its declared enemies; while the other, by his charity, piety and sweetness, has the rare merit of having disarmed those enemies, in every country in which he is known. To say one word now of myself: so, it seems, I am posted throughout England and Ireland, as the salesman of your hierarchy!—Take up, fellow Catholics, that book,* which probably first taught my accusers to appreciate the dignity and the value of that hierarchy, to judge me on this charge, by the contents of it. Turn in particular to that passage, page 29, in which I deprecate, with all the energy I am master of, the pensioning of the Catholic clergy, and be assured that I shall repeat the same sentiment in the new edition of my work. If you have any doubt concerning the meaning and tendency of that passage, consult the commentaries of your enemies upon it, namely, the “Remarks of Sir R. Musgrave” upon my Tour, and “the Report of Lord B—shire’s Speech” in a certain illustrious assembly, on the 27th of last May,

* Letters from Ireland, &c.

May, ——. But I am wandering from my subject, which at present is not to argue, but to relate. Examine then the files of the Dublin Evening Herald, from July to December, inclusively; you will see me therein charged with “a *blasphemous attempt* against the existence “of the hierarchy;”* with “sacrificing the “principles, tenets, and discipline of the Ca-“tholic Church;”† with being “an agent “sent to Ireland, by Mr. Perceval, to accom-“plish the work in which Lord Redesdale “failed, that of subverting the Popish super-“stition, and of grinding down the faith and “morals of Catholic Ireland, more than all the “efforts of Luther and Calvin could do;”‡ with being “disposed to barter away the inalienable “spiritual rights of the Church for my own “temporal advantage;”§ with being “a wolf “in sheep’s clothing,” the hypocritical priest described by Boileau, and “Judas Iscariot, agent “to the party that sought to arrest Jesus “Christ.”|| In consequence of this accumulated guilt, formal notice is given to me and to the British empire, that “I have been tried and “found guilty, and sentenced to be hanged in “effigy by the parliament of Pimlico, (in “Dublin,) under the prosecution of Mr. Attorney General, Sarsfield, and Mr. Solicitor General, Laicus, for conspiring, at the instiga-“tion

* Evening Herald, July 20. † Sept. 2. ‡ Sept. 12.

§ Ibid. || Sept. 23.

"^s tion of the devil, under the form of thirty
" pieces of silver, to adopt resolutions subver-
" sive of the faith I was sworn to protect."*
I have more recently been compared, in a copi-
ous parallel, with "the proud Pharisee" of the
gospel. † It has been roundly asserted before
the public, that, "as much as in me lies, I
" encourage persecution against the Christian
" Church;" ‡ that I am "so far maddened
" by disappointment, as to be instrumental in
" quickening the malice of the avowed enemies,
" or affected friends of the Irish bishops," and
that "the Irish prelates and Catholics in general
" are (possibly) doomed to a new persecution,
" unnaturally roused into action, by that un-
" grateful accusing spirit which dictates all my
" furious letters on the question." §

I ask you now, my Catholic brethren, whether the picture which I drew of your confederate Irish writers is overcharged? and, in your opinion, whether Sir R. Musgrave himself is capable of writing with more rancour and coarseness against the author, who has exposed the falsehoods and fabrications in his darling Memoirs of the Rebellions, than these good Catholics do write against a prelate of their own communion? I sincerely hope, for the consistency of what I have published and am publishing of your moral and religious charac-

ter,

* Evening Herald, Sept. 26. † Nov. 13. § Dec. 2.

ter, that the number of these writers is not great, though they describe themselves as constituting a parliament... For my part I never found any thing like this rancorous disposition amongst those who are considered as the refuse of your nation; I mean the poor sailors and soldiers, who were brought from Portsmouth and Gosport to my parish town of Winchester, for trial, on some indictment or other, to the number of many hundreds, during the twenty-four years I resided there... On the contrary, I found such an innate goodness of heart, and respect for the ministers of religion, and especially that exuberance of gratitude for the services of which it was my duty to render them in life and at their deaths, as to endear their national character to me, at a time when I little expected to become acquainted with the more religious and moral orders of their countrymen. Alas! till of late, I thought the mental poison of your country had been confined to the breasts of Orangemen!

These writers, of the Herald, boast of having covered me "with shame and confusion, by putting me down in argument; a circumstance," they are pleased to say, "which I had previously been a stranger to."* If this be true, let them have the full merit of their victory: for thus much is certain, that the question at issue-

issue was to me a professional subject, and the very subject on which I have published three different works;* while my antagonists professed to be utterly unacquainted with the great Catholic theologians and canonists, whom we bishops and priests are obliged to study, but to draw all their information from that single source from which Luther and Calvin drew their information.† I must add what you my brethren will naturally suppose, that in consequence of their writing numerous hasty and desultory essays, on subjects which they had never studied, they fell into grosser errors and more numerous contradictions than any one of those several adversaries has done, whom they admit I have had the advantage over during the twenty-five years of my literary polemics. However, they fancy they have “put me down “ in argument,” and it is not my intention to disturb them in the enjoyment of their triumph; only I will mention to you what they themselves avow, namely, that long ago I signified my resolution not to have any controversy with them at all under the disguise of feigned signatures; and in this resolution I was fortified by the advice of the Catholic prelates, who never spoke of these anonymous Herald writers but in

* *The Letter to a Layman, the Divine Right of Episcopacy and Ecclesiastical Democracy detected.*

† *Evening Herald, Sept. 23.*

in the severest terms of censure and displeasure. The writers, however, ask by what rule of Locke I can shew, that a knowledge of the disputant is of any consequence as to the force of his argument? Undoubtedly there is no rule either in Locke or in Aristotle of this nature; but there is a rule of common sense, which tells every gentleman and scholar not to commit himself, either by word of mouth or in writing, if he can properly avoid it, with any person, unless he has some sort of pledge that the person will observe due decorum of language, that he will adhere to the fundamental principles on which the controversy rests, and that he will abide by the consequences of a refutation, so far at least as to acknowledge his error, or to be silent on the subject. Now, it is evident that I am bound by all these laws, while I give my name to the public, as I invariably do, whether in periodical papers or in other publications: but what hold have I, and what hold has the public, upon *A. B.* and *Laicus*, and *Sarsfield*, and *Detector*, for their observance of any of them? For example, is it to be supposed that any of these writers would have the confidence to address me in such language as that set down above under *his own name*, supposing at the same time this name to belong to a gentleman? And would any convertist, whom I could tie down to the laws

of the Catholic Church, and who is amenable to the reproof of its pastors, vauntingly scoff at the authority of Cabassutius, Thomassinus, and Bellarmine,* on a question concerning the canons and discipline of the Catholic Church, and that he would appeal from them to his own interpretation of the Acts of the Apostles, and to some unknown clergyman's interpretation of a Greek word, which the writers do not know even how to spell?† Well, and supposing now, that, after having been so often "put down in argument" by these profound canonists and linguists, I should, by mere chance, gain a victory in my turn, what shall I be the better of it, or my enemies the worse? *Laicus*, perhaps, will transform himself into *A. B.* and *Sarsfield* into *Detector*, and in these new characters they will open batteries upon me upon fresh grounds: in the mean time Mr. *C.* and Mr. *D.* which I suppose to be the real names of my opponents, will walk the streets with unblushing countenances, and will insult as usual that of Dr. Milner! But my anonymous calumniators have two other reasons for keeping in the dark; they say that by "avowing their names they would expose themselves to the dagger of the vile Orangeman, or to the slanderous tongue of the more vile pensioned and pension hunting Catholic."‡ Both these reasons

reasons I submit to the consideration of the public; first, whether the writers are not quite a match for the pension hunters in the line in which they affect to dread them? And secondly, whether it is not at least probable that the names of these writers, when they come to be known, will not be found more obnoxious to Orangemen than that of Dr. Milner, which name, however, the owner of it never conceals either in Ireland or in England?

There is a case, my fellow Catholics, in which I might be induced to affix a false signature to my publication; namely, in case (by way of an essay, or for any other reason) I were to write upon a subject which I knew nothing at all about. But in no case whatsoever could I reconcile it to my ideas of justice to lay an accusation, or, what is worse, to insinuate one against any man, whether prelate or peasant, whether Catholic or Orangeman, without giving my name, as a pledge that I would stand the issue of a trial with him before the public, or even before a court of justice. Never could I reconcile it to the feelings of *my heart* to hide myself in a corner, and thence to shoot poisoned shafts at the man whom I think, or who actually may be my enemy. No; if for any good purpose I must fight with him, it shall be on equal terms; he shall have the advantage of his sword as well

as of his shield. Irishmen ! do not your hearts beat in unison with mine ?

I shall conclude this long digression with expressing my surprise and my concern at the conduct of my adversaries. I am surprised that, in extolling the resolutions of their upright and edifying prelates, in their Synod on the 15th of September last, they should take no notice of, and should even trample upon, the third and fourth articles of them : for have they ever once appeared sensible of the severe censure which was then passed by that venerable body upon their licentious pens ? Have they paid the least respect to the four and twenty crosiers that were then projected in my defence ? No ; for the bitterest, the most libellous calumnies of these Heraldists are those which were published within a week or ten days from the breaking up of the Synod. I shall here insert the resolutions in question, the original of which is in my possession.

“ At a meeting of the Roman Catholic arch-
 “ bishops and bishops of Ireland, held in Dub-
 “ lin, September 15th, 1808, resolved unani-
 “ mously, that the satisfactory explanation of
 “ the Right Rev. Dr. Milner’s conduct in a late
 “ arduous transaction, as received this day,
 “ through a specially deputed friend, most
 “ amply proves to us, *how grossly he has been*
“ misrepresented in certain newspaper publications.

“ We

" We are fully convinced of the unblemished
 " rectitude of his principles, of the purity of
 " his intentions, and of his disinterested zeal in
 " the Catholic cause: and we hereby entreat
 " him to accept of our warmest thanks, for his
 " powerful and unwearied exertions in promot-
 " ing it.—Resolved unanimously, that the Right
 " Rev. Dr. Milner be requested to act as agent
 " to the Roman Catholic Clergy of Ireland at
 " the seat of government, agreeable to such
 " instructions as he may occasionally receive
 " from the Archbishops, in concurrence with
 " their Suffragans."

The concern which I feel arises from a zeal for the reputation and interest of our common Church, one of the essential and mostly conspicuous marks of which you well know, my Catholic brethren, is HOLYNESS. This holyness implies the strictest observance of the Ten Commandments, and, above all, the practice of the favourite virtue of our Divine Master, charity. Without this, as you have oftentimes heard, your *faith*, "*though strong enough to move mountains, would avail you nothing.*" 1 Cor. xiii. 2. Now, I appeal to your cool consideration, what ideas our mistaken fellow-christians of other communions must form of the sanctity of that Church, in which such men as Lord Fingall and Lord Southwell are constantly

stantly held up by Catholic writers, as nominally irreligious; half Catholics, the disgrace of their Church, &c. They who have made, and who constantly do make, such sacrifices to it; they who are universally revered for their moral and religious virtues by the public at large, as well as by myself, who have known them from their childhood; whilst the men who put themselves forward in the face of the public, as the genuine, strict, conscientious Catholics; and who, to use their own swaddling language, "have been saved by their religion," * are chiefly distinguished by the uncharitable-ness of their language, as appears by the specimen I have given of it, and by their continued, open violation of the commandment, *Thou shalt not bear false witness against thy neighbour!* What scandal must not you, my brethren, take at the conduct of these men, who, as strict, conscientious Catholics, of course, you know are in the habit of frequenting the holy sacraments, whilst you are constant witnesses to their detraction and calumnies against their own prelates, as well as against others, and never hear of the least attempt, on their part, "to make their injured neighbour satisfaction, and to restore his good name as soon as possible." *Catholic Catech.* p. 32.

It

It is pleasant enough to hear these anonymous writers retorting the charge of injustice and uncharitableness upon me, because when they began to call me to an account, and to a number of impertinent questions, (threatening me first with the loss of my popularity, and then with gibbets and fire to enforce their requisition,) I took the liberty of enquiring their *real names*, in order to judge from their characters, of their motives, and their authority in questioning me; adding that "Sarsfield and Laicus may be "good Catholics, or mere nominal Catholics, a "disgrace, by their principles and conduct, to "the religion they profess; or that they may "even be wolves in sheep's clothing, who come "only to kill and destroy, for any thing I "can know of them, and that the disclosure "of their real names would probably settle my "opinion upon these points, and enable me to "decide how far they are deserving of my "respect and regard." This is the passage, which some man, woman, or child, who falsely assumes the name of the Great Sarsfield, Lord Lucan, maintains is contrary to justice and charity.* But, tell me, my brethren, I beseech you, what injustice or uncharitableness can be deduced from it, except that, in my opinion, some bad Catholic or some Orangeman is as capable

capable of writing in the newspapers, under the signature of SARSFIELD, or LAICUS, as a good Catholic is? Heavens defend me from insinuating, that your immortal countryman, *the real Sarsfield*, (for as to *Laicus*, I suppose the millions whom I have the honour to address are all *Laici*,) who nobly faced in the field “the hero of Glencoe, and the pacificator of “Limerick,” was “a disgrace to his religion, “or a wolf in sheep’s cloathing.” If any thing were wanting to the completion of the jest, it is, that this mock Sarsfield complains I have “attacked a *character* which I cannot pos-“sibly know,”* and which, he adds in the same paper, he “keeps concealed, for fear of “the dagger of the Orangeman, and the slan-“derous tongue of the pensioned Catholic.” To attack a fabricated name; to injure a reputation which is a profound secret; to ruin a character which does not exist; by what name, I pray you, my brethren, do you call this in your country?

I am far from wishing to lay additional restraints upon the press; but again, and again, my Catholic brethren, I beseech you, to discourage, by all the means in your power, *anonymous publications upon matters relating to your religion*. I have much higher motives for

for this advice, than those which I have already suggested; and, take notice, they are such as all and every one of your excellent prelates and pastors will decidedly sanction. For under their correction, I, though a doctor and a prelate of your Church, always speak to you, my brethren of Ireland, upon these subjects. The case is this; there is a living authority, a speaking tribunal in the Catholic Church; the singular, the happy prerogative, the immortalizing principle of which is, that we all and every one of her children, are subject to it. By publishing our real names with our religious essays, we profess ourselves, or at any rate we become, amenable to this tribunal. But if bad Catholics, under the pretence of being good ones, if the heterodox, under the pretence of being orthodox, by means of feigned names, and specious declamation, are permitted to lecture you, how can your real pastors and prelates arraign them? What security have you that they will not impose false doctrines upon you, for the genuine doctrines of the Church; as I maintain the above mentioned anonymous writers have done in scores of instances?

I give you my word, my Catholic brethren; that when I sat down to write this letter, I had no intention of running into this exposure of the anonymous writers in the Evening Herald;

my business not being to refute their calumnies, but to eradicate some groundless prejudices against myself; which I fear have been instilled into the breasts of several of the most upright and edifying persons among you. However, as these prejudices have probably originated in the still repeated and unrefuted calumnies in question, (in confirmation of the Machiavelian maxim, *calumniare fortiter, &c.* (throw on dirt enough, some of it will stick) this digression may be of service to me, in the cause which I have undertaken; at the same time that it will be useful to you for the different purposes which I have pointed out. The prejudices which I mean to combat are nearly allied to the following assertions of my adversaries, in their latest publications: "Dr. Milner at the last hearing of the Catholic petition, *engaged* that the King should hold "a veto upon the election of our bishops. "He did grant a veto. Before the passing of "the resolutions, we were advised by Dr. Milner to leave the settling of the dispute "to our worthy *prelates*. The bishops did examine the question, and unanimously decided "against Dr. Milner's plan."* "He is enthusiastically attached to it."† His recent letter
" in

* Evening Herald, Dec. 2.

† The present state, by *Inimicus Veto, Esquire!* This writer

"in the Morning Chronicle, has filled the nation with astonishment, and excited loud and general censure on this wanton and unpolitic renewal of hostilities."* In opposition to these assertions, I undertake to prove; first, that neither the plan, which the great bulk of you so strongly object to, for allowing of a certain interference of the Crown in the nomination of your bishops, nor any other plan for making the least change whatsoever in your ecclesiastical discipline, is *my plan*: secondly, that I never did *grant to the Crown the power of a veto* in this business, *nor engage that your bishops should grant it*: thirdly, that, as well since, as before the passing of the resolutions, I have uniformly advised the Catholics to leave this matter to their worthy prelates; knowing perfectly well that it is for them, and THEM EXCLUSIVELY, to decide upon the expediency of the measure, as it is mine to obey their instructions. I disclaim an attachment to any measure which the prelates of any part of the Catholic Church may deem inconsistent with its safety or its welfare; and I maintain my late letter was not intended by me, nor indeed generally calculated to occasion hostilities of

writer proves himself by his language to be a gentleman, no less than Mr. Trotter, Mr. Clinch, and one or two others of my opponents: yet I never, before now, heard of an Esquire of that name in any part of Ireland.

* Evening Herald, Dec. 5.

any kind, but rather to promote the inestimable blessing of peace. Should I, my Catholic brethren, obtain that success which I promise myself in establishing these three points, I foresee that I shall have nothing to fear from the utmost malice of my inveterate foes on your side of the water, and that I shall have no future occasion to renew this disagreeable topic, in either island, barring such explanations as may become inevitably necessary, in consequence of the expected debates in Parliament. Of one thing remain perfectly assured, that, as I have received no instructions whatsoever from your prelates, or from any one of them, relative to the business in question, so I should decline receiving any if sent to me. In any other concern I should be happy to serve them, but of this I trust I have washed my hands for ever.

To proceed now with some degree of order in establishing the two first points of my defence; namely, those which regard my conduct previously to the meeting of the bishops: I positively deny, that I formed the plan, or conspired with any other being or beings, to introduce any sort of interference, on the part of the Crown, in the nomination of your bishops, or in any other of your ecclesiastical concerns whatsoever. It is notorious to the public, both Protestant and Catholic, that I am not less a professed advocate for your hierarchy, and
the

the mode by which it is perpetuated, as being primitive, and calculated for the peace and welfare both of Church and State; * than I am a foe to every the least encroachment of the civil power, or of the people, upon that independent spiritual jurisdiction which Christ has left to his Church, and which is the very vital spirit of its never failing existence. For more than twenty years, my brethren, have I been engaged with the enemies, and chiefly the domestic enemies of this jurisdiction, who in various modes have attempted to infringe it, that is to say, either by recommending the *oath of supremacy* or the direct *Royal nomination*: God knows, my brethren, you will know at the great day of manifestation, what I have suffered for my constancy, in defending the independency of your Irish Catholic hierarchy and jurisdiction, no less than that of our little English Catholic flock. This being to a certain degree a matter well known to the heads of your hierarchy, and having first attracted, on my behalf, the honour of their notice and friendship, what likelihood is there that I should, all on a sudden, in the month of May last, when the ink was hardly dry in that pen with which I had been defending the divine rights and freedom

* See Appendix, No. 5, to Sir J. Hippesley's Additional Observations.

dom of that hierarchy and jurisdiction against their most inveterate and powerful enemy, Dr. Duigenan, * renounce the leading principles of my conduct and conscience, by devising a plan, or conspiring with other persons in devising a plan, against your hierarchy and jurisdiction? Again, my brethren, though conscientiously attached to the King and Country, to which we have sworn allegiance, as I have maintained you also are; I have always measured my allegiance and your own, not by the news in the Gazette, but by our duty and our oath; I have always vouched to this King and Country for the purity and firmness of your civil and social principles, and more particularly for those of your exemplary prelates, and have shewn that our Catholic ancestors, and the bishops and clergy, in particular, have evinced a principle of conscience, in opposition to apparent interest, beyond every other description of christians, even the *divine right* men. In short, I have always maintained, by the tongue and by the pen, what I am fully convinced of, that there is no need of any change at all in the existing discipline, by way of securing or ascertaining the fidelity of your prelates and clergy. Nay, I will go so far as to say that, in my opinion, the most considerable personages, who have called

† See Supplement to the second edition of **Addit. Observ.**

called for a change on this ground, do not think it necessary. They only sought to throw out a tub to the whale of vulgar Protestant prejudice; just as when they tacked new formularies of allegiance, but exactly the same in substance, to the different acts of parliament which they have, from time to time, passed in our favour. I had then no *political* motive for desiring a change in your discipline; and as to the personal motives of avarice and ambition, which the Herald writers have *alternately* attributed to me, I disdain to answer them when I am writing to you.

But, though *I* have never devised or desired a change in your Church government, *others*, in great numbers, have; I mean other Catholics; for as to Protestants, they, of course, must always wish it to be changed, and even destroyed. Instead, however, of enumerating the works written by Catholics, or mentioning the respectable personages among them who have negotiated in favour of this change, so far as to recommend the vesting of *an absolute and uncontrouled power* in the Crown over all our prelacies in both kingdoms, I shall satisfy myself with citing the declaration, upon this head, of the celebrated and well informed writer whose publications have been more read, and have produced a greater effect than those of any other of our advocates whomsoever; I mean

mean Peter Plymley, so called: This is then, what he published in his Ninth Letter, a little before the late debates on the Catholic Petition : “ *To my certain knowledge the Catholics have long since expressed to his Majesty’s ministers their perfect readiness to vest in his Majesty, either with the consent of the Pope, or without it, if it cannot be obtained, the nomination of the Catholic prelacy.* ” There was then a powerful conspiracy of still growing strength to which several of our Catholics were accessory, for enslaving the Catholic Church of both islands, or rather for extinguishing what I have called its *vital principle* : but so far was I from being a party to it, that I prepared myself to oppose it, whenever it might break forth, with all my might, as I am well known to have opposed other attempts of the same tendency.

Some of your prelates, particularly two venerable metropolitans, will testify that I consulted with them long ago upon the best means of averting the dreaded mischief, and that I went up to London the last time I was there for the express purpose of making such efforts, as it might be in my power to make, against it. That noble Lord also, whose zeal in your cause made him a sort of courier between London and Dublin, in the worst weather of last spring, will testify that in every one of the visits with

which

which he honoured me in travelling between those capitals, I never failed to warn him, in the most emphatic language, against consenting to the projected change. You will certainly conclude that I had taken such means as seemed to me, at the time, sufficient for ascertaining the sentiments of the Irish prelates on this momentous concern. To be brief, I did understand that these sentiments perfectly agreed with my own; namely, that we could not, to save our lives, yield the direct patronage of our hierarchy, or the right of appointing Catholic bishops, to an A-Catholic state or sovereign; but that it would not be contrary to the faith or essential discipline of our religion, to yield that sort of negative interference which has been so often explained, provided *it were otherwise expedient*, for the welfare of the Catholic religion or of the Catholics themselves. Of this latter point I never took upon myself to judge, but I understood that your prelates, whose *exclusive right* it was to judge of it, were disposed to grant it out of a regard to you, their flock; namely, as the price of your civil rights, and the condition of your emancipation. For you are sensible that we, the ministers of the Catholic religion, and the religion itself, are to derive no benefit from the emancipation: come when it may, it is understood that we are to remain after it, just as we are before it. With

respect to yourselves, the Catholics of Ireland, I was not honoured with any commission from you, and I never took upon myself to judge of your political interests or your national feelings: there were other persons every way better qualified, and those duly authorized to attend to them, and who at the same time were privy to, and witnesses of, every step that I subsequently took. In a word, it never once entered into my imagination (here I confess my egregious error) that you, or any part of you, would conceive an alteration in the process of recommending candidates for episcopal institutions, to undermine "the only undestroyed monument of your national grandeur," any more than the different changes which have taken place in this respect since the year 1682 have done. So far from this, I really believed that you wished every concession, consistent with the principles of our common religion, to be made by your clergy, in order to obtain a complete redress of your existing grievances, and to annihilate for ever those odious distinctions which still make you, the population of the country, an inferior cast in it. I had seen Maynooth accepted with gratitude; I had witnessed your patient acquiescence in those disgraceful formularies of allegiance, unexampled in the history of civilized states, which I have mentioned above. For I judge of your feelings, my

my brethren, by my own; and I solemnly declare, that I never felt myself so humbled in all my life, as when, in the public court at Winchester, I was forced to swear that "I did not "think myself bound by my adherence to the "Catholic Church (that Church which my "Protestant fellow-subjects call HOLY when- "ever they repeat their creed) to rebel, to "commit murder, and every other sin; and, "lastly, to *perjure myself!*" Oh! with what enthusiastic ardour and galling sarcasm have I not heard my respected acquaintance, and your immortal advocate, the great Fox, dwell upon the absurdity of calling upon men to swear that they think themselves obliged to keep an oath!

But, to return to my defence: the very first morning after my arrival in London, and in consequence, I am persuaded, of my earnest cautions, mentioned above, to a noble and worthy personage, I was summoned to attend certain illustrious parliamentary friends, when this question was put to me, as nearly as I can recollect: "What sort of power the Catholic bishops of Ireland were disposed to yield to "the Crown, in order to bring about the eman- "cipation?" The question, you observe, was, as the business itself was, not about my own dispositions or concessions, but about those of the *Irish bishops*. How now, I pray you, was

I to act in these circumstances? Methinks every honest man amongst you would say, "Satisfy our friends to the best of your knowledge and belief; but take care not to add a word beyond that." Well, my brethren, I did exactly this; I answered, "that I had no instructions from the prelates to speak to this point, (in fact I had partly ventured to hope that reference would be made to them upon the business,) and that there was not time to obtain any answer from Ireland previously to the day (namely, the ensuing Wednesday) fixed upon for the debate." I added, that I was convinced the prelates neither would or could yield any *positive power* to the Crown in the business, nevertheless that I had good reason to believe (as in fact I had good reason, and as some of the most distinguished prelates have, since the assembly, publicly declared I had) that they were willing, upon the conditions, and in the circumstances mentioned, to concede *a certain negative power*: namely, that which has been so often explained. But, again and again, I emphatically repeated, that I could give *no pledge on their part*. I must here observe that, though I conceived it possible the dispositions of the bishops might be mentioned in parliament, I had not the least idea that it would come forward in the shape of a *distinct proposal*. I must also remark, that

the

the word *Veto* never occurred in any one communication which I held with our parliamentary friends, or previously with the bishops. In fact, it does not correspond with the idea which I entertained of the negative interference. The word was affixed to it in Ireland by those who were enemies to the interference in general.

It was so well understood by the personages alluded to, that I gave *no pledge* whatever on the part of the prelates, and, in short, that I did nothing more than declare *my opinion* concerning their disposition, that I was pressed to do what I was otherwise resolved upon doing, namely, to lose no time in consulting them upon the point. Accordingly, on the very day of my first conference with those personages, namely, on Saturday, May 21, I wrote to each of the four Catholic metropolitans, giving them an account of what had passed, and assuring them in particular, that "I had entered into " no pledge on their part, but that they were " at liberty to throw me, like another Jonas, " into the sea, in case they were not willing to " sanction the measure." Had I received, in due course, an answer to this effect from any one of them, or from any other prelate, (for I wrote to other prelates,) most undoubtedly I should have communicated the circumstance to our friends in parliament, and, I make no doubt, a proper explanation would have taken place in that

that assembly. But no such letter did I receive during the whole time of my continuance in London, which was till about the middle of June; nor indeed any other letter, which did not lead me to suppose that the measure would be sanctioned. It is true, that after I had quitted the capital, for Hampshire and Dorsetshire, that is to say, when it was too late for me to state the circumstance to members of the legislature, I received letters from three prelates, stating objections against the royal interference *in toto*. But not one of these “ finds the least fault with my conduct,” whatever the anonymous Herald writers, who pretend to know the contents of my letters better than I do myself, have asserted to the contrary.* I will not publish the confidential communications of my friends in the newspapers, as these writers very decently call upon me to do,† but they shall at all times be forthcoming to the prelates themselves.

You will naturally suppose, that if I was in such haste to communicate to my constituents the contents of private conferences regarding them, I should not be more slow in disavowing those false and detestable newspaper reports of the parliamentary debates, which represented me as authorizing a proposal for making an

A-Catholic

* Evening Herald, Nov. 13.

† Ibid.

A Catholic king to become virtually the head of the Irish Catholic Church. No, my brethren; if I were capable of making or consenting to such a proposal, or even conceding to the Crown any *real efficient power or jurisdiction, little or great, direct or indirect, open or secret,* you may depend upon it, I would act a more consistent part; I would make better terms for myself; in a word, I would take the oath provided for the purpose, I mean the oath of the King's spiritual supremacy. The fact is, the very morning on which this lying and scandalous report of the debates appeared, which was no other than that on which they terminated in the House of Commons, May 26, amidst the religious duties of the festival,* I drew up, and caused to be printed, a formal disavowal of the scandalous imputation, and of certain other errors connected with it. It was my earnest wish to insert this in the newspapers, which had I done, I should still have retained your good opinion: but in this instance I sacrificed your favour, to what was considered by persons acting in your name, and by some of the greatest ornaments of the Catholic body, as your interest. In brief, I contented myself with circulating this printed disavowal among the prelates and a very few other friends, after it had been shewn

to

* Ascension Day.

to your parliamentary advocates, no one of whom condescended to authorize my circulation of it with greater kindness than the Right Hon. George Ponsonby.

It may be objected to me that, in the interval between the debates in parliament and the assembly of the bishops, I was active and industrious in defending and promoting the plan in question. I grant, my brethren, that, considering it as a measure which virtually had already obtained the sanction of your metropolitans and senior bishops, and having sufficient grounds for supposing that it would obtain the sanction of the assembled prelacy, I took some pains to explain certain circumstances to some of them, which they had not otherwise means of becoming acquainted with, and of obviating objections which to me seemed ill founded; still adhering to that axiom which I published in the newspapers, and from which I have not, for one moment, swerved by act, by word, or by thought, that to the Catholic prelates of Ireland, and to them alone, belonged the final decision upon this momentous business. Nevertheless my principal business, during the time in question, was to enforce, by every means in my power, and with all sorts of persons, and every where, the necessity of those checks or restraints upon the regal interference, (an interference that, as I have said, I considered as already virtually

virtually granted,) which, I was satisfied, your prelates would, upon mature reflection, find indispensably necessary for the independency of your Church; though I was not aware they had heretofore sufficiently prescribed them, and without which, be assured, I would not have been agent in the business to save my life. Here then, my brethren, is my sole crime, if I was guilty of any, namely, that having reason to believe your prelates were disposed to grant a negative interference to the Crown, I devised the most effectual limitations of which it was susceptible, for preventing your hierarchy from being enslaved or injured by it. This is the only act and deed, throughout the whole business, which, properly speaking, belongs to Dr. Milner.

Having now been counsel in my own cause, let me also be cryer in it.—How say you, my Jury: GUILTY or NOT GUILTY?—Take notice, I do not call for your verdict upon the impeachment of Mr. Attorney General Sarsfield, and Mr. Solicitor General Laicus, before the Parliament of Pimlico, namely, that “Dr. Milner, not having the fear of God before his eyes, but being moved by the instigation of the devil, under the form of thirty pieces of silver, has conspired to adopt certain resolutions—subversive of the faith, he was sworn to protect.” No, my brethren, I do not ask for your decision upon this charge, as I

am already perfectly sure upon whose head, your verdict of GUILTY, in this case, would fall. But I call upon you to pronounce upon the two first counts or charges in the former indictment against me, relative to my conduct, previously to the meeting of the bishops. First—Have I *devised, or conspired with other persons to devise a veto, or other plan,* for admitting of the royal interference in the election of your bishops? Secondly, have I *granted, or engaged that the bishops should grant any veto, or other interference of the Crown in this business?*—I am sure what your verdict is on both these points; and therefore, I now proceed to ask you further, whether, upon the whole of the case, I appear to have acted any other part than that of a faithful agent to your prelates, anxious to learn and express their sentiments and transact their business, with the ultimate view of serving you, but still more anxious to preserve from subjection, and every other danger, one of the most venerable and important portions of that Catholic Church, of which I myself am a prelate?

I shall now be asked, why I did not publish the explanation six months ago, when I was called upon to do so, in the newspapers, and thereby “ save myself and the nation an immensity of trouble and anxiety?”* I answer, that I published sufficient reasons at the time, but that

that I had a still more powerful motive, in my own breast, for not obeying the requisition then made to me. I was satisfied, by private letters, as well as by those published in the Herald,* that the writers who are now employed in executing their denunciation against me, were then desirous of sparing † my character to the utmost of their power, and of turning their vengeance on the prelates, particularly upon one of them, whose virtues I revere and love, and who, at all times, labours under more than his full share of obloquy and persecution. In these circumstances, my brethren, I judged, as I always shall judge in similar circumstances, that it was better the flock should think ill of, and be incensed against a stranger than against their own pastors ; and however anxious I may be in taking this leave of you, to regain your esteem and affection, I give you my honest word, I would not publish this Appeal to you on any account, if I did not think that, in the existing circumstances, I can do so, without any risk of occasioning the slightest jealousy between you and your native prelates.

I come now to the third head of accusation against me, that which regards my conduct since the decision of the bishops. It is this charge, as I understand, from private letters, which chiefly indisposes the generality of you,

* Evening Herald, Aug. 5. Sept. 2. † Sept. 2.

even the pious and edifying part of you, even my warm friends, as well as my bitter foes against me. This part of my indictment stands as follows: "that Dr. Milner is enthusiastically attached to the plan of the *veto*, against which the bishops have unanimously decided; and that he has written a letter in the Morning Chronicle, which has filled the nation with astonishment, and excited loud and general censure on his wanton and impolitic renewal of hostilities."—I can refute this accusation, my brethren, in three words: but, for your more complete satisfaction, I will previously enter into some explanation regarding it.

It is clear to me, by all my letters from Ireland, that my friends there, fancy *all the public reside in Dublin*. In the agitation occasioned by their detestation of this *veto*, so called, they forget that in my situation I have various relations with the English, no less than I have with the Irish: they seem insensible that there is an imperial parliament about to meet in this island, which is sure to agitate the question of the *veto*, though I were to observe the most profound silence concerning it, and that without explanation from some quarter or other, the honour and character of those personages, to whose interests I cannot be indifferent, I mean the Catholic bishops, are liable to be grievously misrepresented, to the great detriment of religion itself.

self. I must add that there are certain distinguished members of this parliament to whom we are all infinitely indebted, and who therefore have a right to demand justice at one hand.—To speak of these first: it is well known that these parliamentary friends, who have not only exerted their unrivalled, but have also sacrificed their high situations and ample emoluments *twice over* in our cause, and who, if they have not succeeded in it, have at least prepared the way for success, and who have actually restored our good name, at the expense of their own popularity; it is well known, I say, that they had, for a long time previously to the appearance of my letter, in the Morning Chronicle, been traduced by their political adversaries, in the ministerial papers, as a set of impostors, who had deceived parliament and the public, by pretending to have held conferences with me, relative to the disposition of your bishops, while no such thing had taken place. In proof of this allegation, they cited my words published in the Evening Herald of July 29; “that I would “sooner lose my life than be instrumental in a “Catholic king’s obtaining any power or influence over any part of the Catholic Church.” Now, my brethren, it was very easy to shew that this declaration no way militated against the existence of those conferences; in as much as the negative interference, as I have always explained

explained it, did not go to confer any such power or influence on his Majesty. This being so, I appeal to your hearts, whether I ought to have refused that easy reparation, in my power, to the character of friends, who have done so much to raise yours?

It is notorious, that the English public, whose ideas, of course, were not more accurate than those of ministerial writers, were astounded and indignant at the whole of the business in question, and were led to believe and report the most extravagant and injurious stories concerning all the Catholics, who had been mentioned or alluded to in it. You will easily believe this, when I inform you that many of our most dignified and best informed Catholics, as well as very many Protestants, have, to my certain knowledge, maintained and published, that I “requested Lord F. to introduce me to certain “great men, whom I persuaded to propose the “plan in question, on the part of the bishops, “and that then I went over to Ireland, to in-“duce these bishops to reject it.” Again, it is certain that a great number of our most pious English Catholics, and even those of my own flock, were scandalized at my conduct, supposing me to have acknowledged a branch of the royal ecclesiastical supremacy; whilst other well disposed Protestants were offended at my alleged punctilioiusness in insisting upon the above mentioned

tioned checks or restraints upon the negative power: at the same time that they admitted, we had a right to provide for the security of our Church. Now, my friends, it appeared to me that all these objections might be answered, and all this mischief be removed by one plain and candid explanation of the whole matter in the newspapers; nor have I found reason, since the publication of it, to alter my opinion, in these respects, at least as far as England is concerned. Lastly, I know for certain, from different quarters, that the motives by which the bishops were actuated in forming the resolutions were grossly misapprehended by persons of consequence. The bishops were even suspected of having been tampered with by ministers; in the same manner as your Herald writers have charged me with that baseness. Violent threats of censure, at the meeting of parliament, if not something worse, were thrown out against them, and I was particularly cautioned not to unite my cause with theirs. In a word, still worst of consequences to our holy religion were seriously apprehended by me. Now it appeared to me, my brethren, that if I could not wholly disperse this storm, I might at least mitigate its violence, and prevent some of its bad consequences, by shewing that the prelates had acted upon good and laudable motives in forming their resolutions; being the same motive, in substance,

to the best of my memory, which I had heard them, and one venerable metropolitan, in particular, allege as the grounds of their decision. One of the Herald writers terms these reasons "unanswerable,"* while another accuses me of a "breach of confidence" in denying at the same time their authenticity, and calling them inadequate, or impertinent, or false or malicious."† I will not enter into a controversy with this writer, about the authenticity or the superior propriety and strength of the motives which we respectively assign; but this I will do; if any three of the bishops will disavow the motives, or any of them, which I, in the sincerity of my zeal for them and for our common religion, God knows, attributed to them, I will publish my retraction in the newspapers, or in any other way that may be prescribed.

To be brief, the letter which has been so complained of by so many, upright and pious Catholics, in Ireland, has been more applauded, as I can easily prove, by the same description of Catholics in England, than any other publication of mine which has appeared for a long time past. It has also given great satisfaction to many impartial, independent Protestants, and I trust has been productive, in a great measure, of the good effects which I had in view.

* Evening Herald, Dec. 5. † Evening Herald, Dec. 2.

view in writing it. It is not considered in England, as "a perseverance in, and a still pressing of a measure" which the bishops have rejected, but quite the contrary. In proof of this I may refer to the *Monthly Review* (no contemptible authority, like the *Anti-jacobin Review*) for November last, published soon after my letter in the *Morning Chronicle* appeared. I have not the number before me, but the sense of the passage I allude to I believe is this; that "since "Dr. Milner and his episcopal friends in Ireland "do not approve of the *Veto*, the Reviewers "hope Parliament will not insist upon it as "a condition of the emancipation."

Having made these observations, I now come to the short, the satisfactory refutation of the charge on which you ground your present animosity against me; and I thus declare before the world, that, as I never was attached to, and never should have thought of the plan of the Crown obtaining a negative interference, called by you a *veto*, in the nomination of your bishops, had I not been persuaded, upon sufficient grounds, that it had been previously approved of by your bishops; so, from the moment of its being rejected and condemned by them, at their late meeting, I have never said, done, or imagined any thing by way of reviving or encouraging it, in any shape or degree whatsoever. If this does not satisfy you, and you

require me to give my vote upon a question on which I never yet have voted, and on which I have no claim to vote; I declare, that, since those venerable personages, who are the proper and authorized judges of the matter, find his Majesty's interference in any shape, or in any degree whatever, in the choice of your bishops, to be inexpedient, *I, Dr. Milner, also do declare it to be inexpedient.*

But, take notice, my Catholic brethren, that in making this declaration, I have, I hope in God, been swayed by motives of conscience only; not by the desire of disengaging myself from that hornet's nest in the Evening Herald, which has been annoying me for these six months past; not by the desire of regaining what is certainly very dear to me, but which is an inadequate motive of action for a minister of him, who was *the outcast of men, and the reproach of the people*, to be guided by; I mean your favour and confidence. Hence I would not on this, or any other account, advance one step beyond the truth. In declaring the plan, as checked and limited by me, to be still *inexpedient*, I will not allow it to be "contrary to the doctrine of the Roman Catholic Church, or to any practice or usage essentially and indispensably connected with the Roman Catholic religion." Much less will I give into the many extravagant, scandalous and erroneous propositions of the anonymous writers in

in the newspapers, who take upon themselves to contradict your venerable, learned, and intelligent Primate, and to correct the resolution of the whole prelacy itself. I am struck with horror at the language of one of these writers, who, professing to imitate the Emperor Constantine in covering the scandalizing bishop, with his own cloak; nevertheless describes the metropolitans and other senior bishops, the glory and defence of pure faith and virtue in Ireland, as having for a long time "their slumbers broken by the torturing visions of an affrighted conscience, and as weeping for the lost blessings of innocent repose."* I will not permit my pious correspondents to institute a comparison between them and the great Fenelon, revoking a real and dangerous error, which had been condemned by the Church. Nor shall any writer, under his own name, who is certified to me as being a gentleman, and a canonist, tell me without refutation, that I have countenanced a plan which is contrary to the faith, or to the essential discipline of the Catholic Church. Should such a controversy take place, it will then be seen whether I have yet "ransacked history and the canon law for those numberless forcible precedents,"† and arguments, which they

* Inimicus Veto, p. 24. † Evening Herald, Dec. 5.

are capable of furnishing for the purpose in question; and whether I cannot answer the several objections which certain friends of mine, persons of distinguished genius and learning, have adduced against it. But I do not so much as hint at the nature of these materials at present, lest I should again be accused of "furnishing arguments," in favour of a plan which, however *lawful* in itself, I have condemned as *inexpedient*. One remark only I shall add, by way of shewing that the persons who describe the plan as being "a dereliction of the Catholic faith, an apostacy," &c. do, in fact, pretend to correct, and do virtually contradict the resolution of the assembled prelates; namely, that the latter have contented themselves with pronouncing the measure *inexpedient*. Would they employ this word in censuring a measure which they judged to be in itself *irreligious* or *immoral*? Would they solemnly declare, that it is *inexpedient to abolish the Seven Sacraments, or the Ten Commandments?*

Upon another point also I must feel myself obliged to protest against the extravagance of these writers, and indeed against the errors of many persons of all the three following descriptions: the statesmen, the Catholic minority, who are impatient to recover their civil rights, and the Catholic majority, who consider the hierarchy as a monument of their national grandeur.

grandeur. All these argue that, because they are, one way or other, *interested* in the state of the *hierarchy*, therefore they have an undoubted natural right to be *consulted* about it.* Why, my brethren, there is not a poor peasant amongst you who is not as much interested in the decision of every article of Catholic faith and discipline, as are the bishops and the Pope himself; because his soul is as dear to him as their souls are to them; but it does not thence follow that he has an equal right to deliberate and to vote upon these matters with them, who are the judges of faith and legislators of discipline, either in synod or out of it: and I will undertake to demonstrate, if necessary, that all the numberless changes of discipline, which have taken place in different ages and countries, (including those which have taken place in your own country) have been made by the bishops or the Pope, without ever once consulting the people. No doubt, these pastors pay a proper degree of attention, on all such occasions, to the wishes as well as to the welfare of their flocks, but this is a very different thing from acknowledging them to have a *natural indefeasible right to judge*, and pronounce on such matters: How absurd then, as well as erroneous, is the language of a late writer, who describes

* Evening Herald, Sept. 12, Dec. 2, &c.

describes your four metropolitans and six other prelates as " guilty of robbery and sacrilege!" who talks of " the birthright of our baptism, " and the prerogatives of our faith" in the jargon of whiggism ! and who asserts, that the " Pope " would more easily be deposed for attempting " to compel, than would the Catholics of Ireland " be condemned for resisting the penal innovation !"^{*} This is a language, my brethren, which, as every divine knows, nearly borders upon schism. But, instead of stopping to confute it, I will place before your eyes the luminous and energetical address of the great Bossuet, relative to the pretended natural rights of Christians in the Church of God. " Thus speaks the Catholic Church to her christian children. " You are a people, a state, and a society : but " Jesus Christ, who is your king, holds nothing from you : his authority is of a higher origin ; " you have no better natural right, as to the " appointment of his ministers, than you have " to appoint Christ himself to be your king."[†]

The remaining observations which I have here to make shall be contracted within as few words as possible. It is then a shameful falsehood, and an outrage upon the Holy See, as well as upon me, to publish, that " the head of the Church, whom I had consulted, about the

* Evening Herald, Dec. 2.

† Variat. B. xv.

"the interference of the Crown," had declared
 "to me, in the words of Benedict XIV. that
 "were he to attempt to give effect to such a
 "power, he should deserve the execration of
 "the christian world."* The original letter, from
 which this passage is said to be taken, now
 lies before me, and I do positively assure you
 that it distinctly refers to *a positive power of
 nomination in the Crown*; whereas *a negative
 interference* is spoken of in very different terms.
 It is an equally glaring falsehood, that "in
 "all my speeches and essays it has escaped me,
 "that if the Pope, from certain knowledge,
 "were to judge a candidate unfit, he must even
 "keep his faculties at home, &c." in consequence
 of which supposed blunder on my part, the
 writer proceeds to insult me in his usual style.
 Ask any of your prelates, my brethren, for a
 sight of my first printed paper, dated May 26; you will there see that the rights of the Holy
 See were not forgotten by me, nor passed
 over in my communications with members of
 parliament. But when the phantom called
Detector is itself detected in issuing lying oracles,
 Mr. A. or Mr. B. will walk the streets with the
 same confidence as usual. My meaning, in
 using the epithets *factious* and *seditionous* in my
 letter to the English public, has been *enlarged* by
 the

the same writer within the compass of a few lines, to "the whole Catholic population of the country," and has been contracted to "one distinguished gentleman."* The shortest way with these terms, under such circumstances, is to retract them, without further explanation, as I now publicly do. With respect to the gentleman alluded to, the most I have heard of him from my friends in Dublin is, that the Catholics of Ireland are indebted to him for the constitutional privilege, which has chiefly contributed to raise them to their present national consequence. "Palmam qui meruit ferat!" I do not envy him his fair praise: praise ought to be no object to me. Were I to interfere again in the affairs of Ireland, and were I possessed of any influence among you, my brethren, all my efforts would be directed to the uniting of all the talents, yes, ALL THE TALENTS of Ireland as well as England, in the common cause. The only persons among you against whom I would declare war, are those who try to divide you, and to animate one class against another. But God in his mercy prevent that I should ever oppose, as I am accused, or despise or neglect *the poor*, of all others; the poor, to whom I have been a willing slave all my life!—The same method of retracting

ing is the best and most congenial to my feelings with respect to the unfortunate epithet of *wrong-headed*, which has been incessantly hurled back at my head, for several months past, both in print and in manuscript. Now I solemnly declare, that neither in my meaning nor in the context of my paper, does the term apply to any other clergymen except the very limited number, perhaps three or four, who were the subject of my correspondence with the parish priest. However, as the word has been so much enlarged beyond my meaning and its own, I revoke it, and beg the Catholic Clergy of Ireland to accept of this public apology for my having made use of it. At the same time, however, I have one request to make them, that if they know of any writer or other person who has travelled farther, put himself to more expense, or taken greater pains to vindicate and raise their character for natural and acquired talents, as well as for virtue and piety, than the author of the letters from Ireland, some one of them will have the goodness to transmit to me the name of that person.

I cannot bring myself to make any apology to my honoured friends, your prelates, because I am perfectly sure there is neither a substantive nor an adjective, nor any other part of speech, in all my writings, that can even be tortured into a meaning disrespectful to them, or to any

one of them. One of the Herald writers, after caricaturing, in the most indecent manner, the persons of three or four of your most dignified and amiable prelates, tries to press me into his service on account of my *looks*! He says that, on some occasion or other, I “ surveyed the prelates with a sarcastic leer, shewing that I knew them well,”* Others, who, again and again, have denied the competency of the bishops to decide upon the late question,† and have threatened to abandon them‡ and the Pope too,§ if it were settled contrary to their wishes; who have talked of suspending the prelates, like Mohammed’s tomb, in the air,|| and have tauntingly advised them to “ recant their religion, rather than improve upon apostacy, like bishop Judas;”¶ finally, who have tried to spirit up the second order of the clergy to take the important business, then pending, out of the hands of the prelates into their own: “ *Experi-*
“ gescemini aliquando et capescite rempubli-
“ cam;”** these Herald writers, I say, now reproach me with “ addressing the Irish pre-
 lates” (namely, when I was addressing the English public) “ like a bullying dictator, pro-
 phecying what I am determined to do myself,
 “ namely, to overwhelm them with public cen-
 “ sure in the course of two months”†† from the date

* Evening Herald, Sept. 23. † Aug. 5, Dec. 2, &c.

‡ Sept. 26. § Dec. 2. || Sept. 23. ¶ Sept. 26.

** Sept. 12. †† Dec. 5.

date of my letter. Such, my fellow-Christians, is the charitable construction which these boasted good Catholics (oh ! the malice of the bitterest Orangeman is charity compared with theirs) put upon the intimation I gave of my apprehension of the prelates being severely treated in parliament ; in consequence of which I openly, before the meeting of parliament, made common cause with them, in opposition to my own interest and the advice of all my friends, by publishing, in the English newspapers, certain arguments on their behalf, which these very writers, on the self-same occasion, allow to be "unanswerable."*

I have said, that I cannot bring myself to apologize to your bishops; because my heart revolts at the very idea of ever having offended them. But I will bring the matter to as short and decisive an issue as if I were to apologize. In case then you, my brethren, in reading over any book or paper which I have published, or may hereafter publish, should, from your own judgment, and without the comments of any anonymous writer, find one sentence or one innuendo which you conscientiously believe to be injurious to authority, or disrespectful to the character of your prelates ; do not, indeed, burn or hang me in effigy, according to the sentence of these writers,† because this would be a breach of the peace ; nor vent your indignation "in

"the most violent imprecations and maledictions" on my head, and "on the heads of some of your bishops and the whole body of the clergy," as these men scandalously assert you did not long ago,* because this would be a sin against God, which would render your faith of no avail to your salvation: but burn all my books which you can lay your hands upon: never read any of my publications in future, and rank my name with the Duigenans and the Musgraves. In a word, to prevent the mischiefs complained of, in future insist upon these mens' publishing their names, in order that they and I may hereafter, and to the end of our lives, contend together, not by words, but by our conduct, in a contempt of money, and all worldly advantages, in respect and obedience to all ecclesiastical superiors, and in uniformly supporting the spiritual rights and freedom of the Catholic Church against all encroachments, whether regal or democratical. One more word, and I have done. These writers boast of having "put me down in argument," at the same time that they allow I have "put down all my former antagonists:"† insist upon it then, for your credit, and that of our religion, that they keep these antagonists down, now they are down, as my studies must necessarily take a different course from that which they have for some time held.

If

* Evening Herald, Nov. 13. † Nov. 13.

If these writers, who are so much my superiors in genius and literature, do but exert half the spirit and industry against your worst enemies, which they have long been exerting against your honest, zealous, and disinterested advocate, the Musgraves will no more blast your character with forgeries, nor the Ledwiches rob you of your apostle and ancient faith. I am and ever shall remain, your faithful and affectionate friend and fellow Catholic,

JOHN MILNER, D. D.

Wolverhampton, Jan. 9, 1809.

P. S. Just as I have concluded this Appeal, I have received two different works from Dublin, published within these few days, by clergymen of the established Church, in which I am severely handled, as well as the Church to which I have the happiness to belong. Of the author of one of them,* I know no more than that, according to what he tells us of himself, in his title page and at the beginning of his book, he is "*such a one as Paul the aged*," that is to say, *such a one as St. Paul the apostle*. Of course the Catholics of Ireland will know him, by his *hungering, thirsting, nakedness, stripes, &c.* in

* An Address to the Clergy of the United Church in England on the present Crisis, 1809. Watson.

&c. in short, by his apostolical labours and sanctity in general; and they will have felt the effects of all this, in the innumerable multitude he must have reclaimed from their *antichristian apostacy*: for his principal aim is to prove that such is the ancient religion of Ireland, and that I am “amongst his most acrimoniously active “enemies,” in supporting his apostacy, and the “soul of the league formed to rob the established clergy of their property, to vilify the character of their priesthood, and to assert “a superiority in the clergy of another denomination over them in every qualification and endowment that can render ministers of the gospel worthy of their sacred function, and “useful to God’s people,” p. 5, 6.—The other work, which is interesting for its very title, * is written by my former very entertaining opponent, Dr. Ryan, and is well worth being regarded by those Catholics, who can afford to buy it. It is almost all levelled at me, as the capital enemy of that *conciliatory plan*, which he so strongly recommends to the Catholics. What he proposes is to make peace with the Catholics, and to allow of their *superstition*, *immorality*, and even their *idolatry*, provided they

* Strictures on Dr. Milner’s Tour, and on Mr. Clinch’s Enquiry, with a New Plan for obtaining Emancipation, &c. a Conciliatory Tract, by Edward Ryan, D. D. 1809. Watson.

they will only give up their doctrine concerning heresy and the Pope's spiritual supremacy, and unite with him, who is a Milesian like themselves, against me, a foreigner, and a vicar of that usurper, who deprived him of his inheritance 700 years ago. In addition to this general motive, he is extremely angry with me for not taking notice of his *Answer to Ward's Errata*. On this head, I hope to make my peace with him, as soon as the work, which is now almost printed off in London, shall reach Dublin. But the most interesting parts of his book, in my regard, are those in which he maintains that *I was the person who prevented the bishops from consenting to the negative; that I went to Ireland for that express purpose, &c. &c.*—He wrote this, with my letter to the parish priest, and that to the Morning Chronicle, lying before him. Now I would appeal even to the writers of the Herald, whether it is not extremely hard, that I should be accused and formally condemned upon opposite and *contradictory* charges, as I am in other instances, no less than in this? However, these men, who have “put me down in argument,” will set all these matters to rights, when they come to “put “down” the Ryans and the Elringtons, &c. as well as to keep down the Musgraves and the Ledwiches; which task is known to be now transferred into their hands.

I finish

I finish with one remark, which I hope will be seriously weighed, and not forgotten. However disastrous the late dispute concerning the admission of the *negative interference* of the Crown may have been in many respects, it has been infinitely less so, than a dispute about admitting its *positive interference* would have been. Now that the latter would have taken place, but for the existence of the former, clearly follows from certain circumstances stated above.

FINIS.

A

DISCOURSE

DELIVERED IN THE
ROMAN CATHOLIC CHAPEL
OF
St. Chad,
CHADWELL-STREET,
BIRMINGHAM,

On JANUARY the 18th, 1816,

Being the Day appointed for a General Thanksgiving for the Peace.

BY THE
R. REV. DR. MILNER,
V. A. B. C. &c.

BIRMINGHAM:
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DISCOURSES

ON THE
LAW OF MARRIAGE.

BY JAMES DODD, M.A., F.R.S.

IN TWO VOLUMES.

Vol. I.

THE LAW OF MARRIAGE

IN ENGLAND.

WITH A HISTORY OF THE CHURCH OF ENGLAND.

BY JAMES DODD, M.A., F.R.S.

1811.

NEW EDITION, REVISED AND

ENLARGED.

DISCUSSIONS

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J. FERRALL, PRINTER, BIRMINGHAM.

DISCOURSE.

*Praise the Lord, O Jerusalem : Praise thy God, O
Sion: For he hath strengthened the bars of thy
gates ; he hath blessed thy children within thee :
He maketh Peace in thy borders, and filleth thee
with the fat of the wheat.—Psalm cxlvii. 12,
13, 14.*

IT is a point agreed upon among the Holy Fathers and other commentators, and plain in itself, that these and the corresponding verses of the Royal Psalmist, in their literal sense, refer to the deliverance of the city of Jerusalem from some siege of it, or some assault upon it, that had taken place during his reign, or that he foresaw

by his prophetic spirit, would take place afterwards; for which deliverance Holy David calls upon his people to give praise and thanks to God. It is equally clear, that this passage of holy writ may be properly applied to any Christian people whom God has saved in a singular manner, from the calamities of a destructive war, in which they had been engaged, and whom he blessed with peace and plenty; as is happily the case of this our nation at the present day. Yes, dear Christians, it is God who is the author of these as of all other benefits: for so he declares by another of his prophets, Holy Isaiah, xlv. 7.—*I form the light, and create darkness: I make peace and create evil: I, the Lord, do all these things.* It is true that, in the dispensations of his Providence, he ordinarily makes use of natural means for effecting them; nevertheless, as the means no less than the effects are in his almighty hands; as he, for example, enlightens the head of the statesman and strengthens the arm and soul of the warrior, so we are equally indebted and ought to pour forth as fervent thanks to

him for saving us, in the present instance, from the dreadful consequences of defeat and subjugation, on the part of an unrelenting exterminating foe, by the natural means of prudence and valour, as if he had protected us in a miraculous manner as he protected his former people from the fury of Pharaoh and Sennacherib. The chief rule for measuring our gratitude and devotion, on such occasions, is to proportion them, as far as we can, to the magnitude of the evils from which we have been delivered, and of the benefits which we have received: hence it appears to be my duty, my dear Brethren, in the situation which I this day fill, to lay before you, in such manner as the occasion will permit, the extent of those evils and of those benefits, as they regard you in quality both of British subjects and of catholics. Having done this, I shall proceed, in the second part of my discourse, to shew what appears to be the chief requisite for completing the present national blessing, together with my reasons for treating of this matter on the present occasion.

I. To form an adequate idea of God's mercy in preserving us from the chief calamities of the late revolutionary commotions and wars, which, for one quarter of a century, have convulsed and afflicted so many other nations, we must consider the extent of their scene, the rapidity of their progress, the fury of their course, the length of their duration, the number of their victims, as also of the cities, provinces, and kingdoms which they have desolated. Never, since the earth was re-peopled by the sons of Noah, has such a war existed, in these several respects. The wars of Nebuchadnes-sar, of Alexander, of Cæsar, and of Tamer-lane, with all their horrors, dwindle to no-thing when contrasted with those of the war which we have witnessed in our days. Place the map of the globe before your eyes, and view the numerous countries which have been the theatre of it, and con-sider the effects which it hath produced in them. Look first at France, (which, in giving a beginning to the Revolution, such as it actually proved to be, did, in fact, declare war against the peace, the morality,

and the religion of all Christian countries as well as her own), view the torrents of her native blood shed in mutual slaughter, which bathed her soil during that period, and observe the succession of scourges which have continued to torment her, in a tenfold degree, all the time that she has been an instrument in the hand of God to chastize other nations. Carry on your view in one direction to the Netherlands, to the different states of Germany, to Poland, Denmark, and Russia, and, in the other, to Piedmont, Italy, Spain, and Portugal. Where do you see a state or province of Europe, beyond the bounds of these favoured islands, which has not been devastated with rapine, fire, and sword ; which has not been heaped with her own children, mutilated or slain ; which has not been insulted with the mockery of liberty and an amended constitution in the most degraded state of slavery and misery ? In this most mournful survey, how many particular spots of unparalleled human woe must meet your eye ; here Gemappe and Fleurus ; there Wagrani, Austerlitz, and

Jena ; further on Friedland, Borodino, and Moscow ; on this side Lodi and Marengo ; on that Burgos and Saragosa. Should you extend your survey to the continent of Asia and Africa, you will continue to meet with ensanguined memorials of this revolutionary war, in countless numbers, from the streights of Constantinople to the plains of Syria, and thence to the sands of Egypt, to the several African Islands, to the celebrated Cape, and even to remote India throughout its whole extent : These are still more common and mournful throughout both parts of the New World, from the frozen Lakes of Canada, to the parched soil of Guiana, and thence to the remote extremity of Paraguay. Who can count up the millions upon millions of human victims whom this Moloch of revolutionary war has devoured in the different quarters of the globe ? Who is capable of describing the various misery to which a great proportion of the human race has been reduced by the same demon ? It is true these calamities have fallen upon our enemies, as well as upon our friends, (while we, through the mercy of God, have

escaped the whole, or, at least, far the worst part of them). Still it is sufficient for us to know that they have fallen upon our fellow-creatures, to whose miseries, as men, and still more as christians, we cannot be indifferent. Hence, in pouring out our praises and thanksgivings to the Almighty for exempting us from the general calamity, we cannot but thank him at the same time for having caused the calamity itself to cease throughout the whole scene of it. In this particular, the present call upon us to rejoice and give thanks to God, differs greatly from former calls upon us of the same nature, in the course of the late war, for some splendid victories atchieved by our navies and armies. It was our duty indeed to rejoice on these occasions, still our joy could not fail of being more or less damped by our tears in recollecting the sufferings of the killed and wounded combatants on both sides.

But to form a just idea of your signal deliverance from the revolutionary commotions and devastations of other states, you

must, my dear brethren, consider how nearly, in all appearance, and according to the ordinary course of events, they approached to your own. In the first place, therefore, when that terrific volcano of revolution broke out in the neighbouring kingdom, it was far from being the intention of the unprincipled Deists, who, under the assumed mantle of Philosophers and the pretext of improving the state of society, were the real authors of it, that its ravages should be confined at home. No, they meditated the destruction of thrones and of altars, and of every institution connected with them throughout the world, and they were resolved to make their first attempt abroad on these important islands. Accordingly they sent hither not only their inflammatory speeches and other publications without number, but also some of their most able and active missionaries, and even large sums of money, the efficacy of which they had experienced in their own democratic commotions. By the help of these and other means, they formed numerous British parties, and one, of more conse-

quence than the rest, in the metropolis, which corresponded with them and directed their measures. In short, these domestic republicans began to train themselves for active warfare, and to furnish themselves with weapons both offensive and defensive, among which were daggers, for the more speedy riddance of their obnoxious fellow subjects. But what constituted your greatest danger was, that the nation and even the senate was, for a long time, unconscious of it, so that many well meaning subjects even hailed the spreading blaze as a joyful bonfire for French liberty which was fast approaching to devour whatever was most valuable in Britain. Such was our perilous state till one enlightened and good senator, at the expense of his dearest private feelings, made us sensible of it. The danger was no sooner understood than it ceased to exist in a powerful and well regulated nation: when, behold! what that statesman had predicted—war, undefined endless war, with an enemy equally insatiable and unrelenting, of course succeeded.

In the next place, consider now how often, in the progress of this tremendous storm, our safety and very existence, as a nation, appeared to be doubtful. Remember, in particular, when the *Army of England*, as it was called, consisting of 150,000 disciplined veteran troops, and flushed with victory, stood marshalled within our sight, on the opposite side of our narrow channel; with vessels, adapted to the enterprize, ready to receive them, and with every other requisite to insure their success. They were, it seems, to have sailed in three different divisions, in order to attempt a landing on as many different points of our coast at the same time: our desperate foe being perfectly willing to sacrifice two thirds of his host provided he could effect a landing with the remaining part of it, in the confidence that we had not troops sufficiently numerous or disciplined to resist even 50,000 of his veterans. By this expedient Constantius Chlorus, under Dioclesian, reduced Britain, then subject to the naval Emperor Alectus. Nothing is more certain and clear than that our safety,

at the time I am speaking of, did not altogether depend upon our few troops on the coast, or upon our flotilla of frigates, which, from various causes, might have been incapable of either acting or even moving, but upon winds and calms and tides and a thousand other accidents over which no human wisdom or valour had any control ; all which, however, are perfectly in the hands of the great Ruler of the Universe. I am sensible that these demonstrations of the enemy, now that the danger is past, may be derided by the ignorant and the presumptuous, but it is certain that they were not derided, at the time of their being made, by the ablest statesmen and generals of our country, including his Majesty's ministers ; so far from this, orders were then issued, on the part of government, for all the male inhabitants of the counties on the sea coast to enrol their names for actual service of some kind or another ; the corn and cattle were to have been removed into the interior country at the first appearance of the enemy, and such parts of it as could not be conveyed away, together with every

thing else which could contribute to the subsistence of an enemy, was to have been destroyed.—Such, my dear Brethren, was then the alarm of government for the state of the nation, that is to say, of the personages who were best qualified to form a true idea on the subject. O! had the general subjugator, who negotiated and fought and lived for no other purpose than to triumph over this envied kingdom, succeeded with his mighty preparations against it, we may well conceive, from his treatment of other states and kingdoms, that were not the objects either of his hatred or his fears, how he would have treated this; we may well believe his general, who seems to have been intended to command the invading army, when he declared, that “in the event of his conquering England, he would make it such a place that even Englishmen would not choose to live in it.” No doubt, but that in this case, both islands would have been instantly stripped of the whole collection of their young men to fight the conqueror’s battles against the most remote of his enemies, ac-

cording to his general policy, perhaps against the Emperor of China or Japan, if either of these dared to refuse the yoke. The unresisting mass of the population, despoiled and trampled upon, would have been left to wither away with poverty and misery; and effectual means, we may be assured, would have been taken to prevent England recovering herself or ever more shewing herself the rival of France.

Nor was it alone against the mighty Napoleon and his numberless host that we had to contend, during a considerable part of the war; but also against the other powers of Europe, together with those of America and of several others in Asia and Africa. The fact is, all the civilized nations, at least, were sensible that our cause in the war was their own; and accordingly they were originally our allies or our friends; but being defeated in their turns by the common enemy, they fell off from their engagements with us and added their countless hosts to his countless host, until, at length, our comparatively diminu-

tive kingdom and population had to combat, single handed, against several millions of armed and powerful enemies at one and the same time in all the four quarters of the globe. If the question be asked how we could then escape the threatened destruction? The Royal Prophet, speaking of his escape from his own numerous enemies, will furnish the answer: *Had not the Lord been with us; let Israel now say: Had not the Lord been with us, when men rose up against us; they had swallowed us up alive, when their wrath was kindled against us.* Ps. cxxiv. 1, 2, 3. But what did I say of escaping? Through the Providence of God, (which indeed was displayed on some particular occasions, in a most signal manner,) through the wisdom, courage and perseverance of her rulers, warriors and people, this little nation not only saved herself, but also several others, enabling the remainder to save themselves from the destruction in question, until, behold, at length, by one mighty effort, she hurled her gigantic enemy from his usurped throne, forced him to seek his life on board her vessels and chained him to a rock

in the middle of the Atlantic Ocean! High indeed has been the rank of England in the scale of nations ever since she herself became one, and supremely exalted, on many occasions, have been her Princes and her Heroes. Great was our Edgar, when he was rowed down the Dee by the King of Scotland and seven other vassal Princes as his boatmen: Great were our Edwards at Cressy and Poictiers, but especially when the younger of them led the French Monarch a captive to his Royal Father: Great were our Henries, when the Fifth of that name, having atchieved the splendid feat of Agincourt, his generals followed up the victory till they saw his son crowned at Paris, King of France: but neither our Edgars nor our Edwards, neither our Henries nor any other of our Princes or Heroes ever reached the height of glory which our present Prince Regent attained, when, having, by the unparalleled deeds of heroism on the part of his immortal general and army, lopped off and seared the last neck of the tremendous hydra in the field of Waterloo, he was hailed by

the powers of Europe, the finisher of their miseries and the author, under God, of their security and happiness. Methinks I see them, on that ever memorable field, combining to raise our Prince's figure in breathing marble, the right hand presenting the portrait of the Royal Parent, the left resting on a sheathed sword ; while the emblems of wisdom and valour crown the head with laurel and olive, and a groop of British statesmen and heroes support the pedestal. Among these I seem to descry the prophetic orator, who roused the nation to its heroic exertions ;⁽¹⁾ the inflexible and hated enemy of revolutionary France, whose lofty terms of peace, so long derided, have now proved practicable ; *Indemnity for the past, security for the future* ;⁽²⁾ the indefatigable Admiral, who exalted the fame even of the British navy, and died in gaining the greatest of all its victories ;⁽³⁾ and the incomparable General,

(1) The late Edmund Burke.

(2) The late Mr. Pitt.

(3) The late Admiral Nelson.

who, with British troops, in different climes, has eclipsed the glory even of that navy, the conqueror of Napoleon's Generals, and of Napoleon himself.⁽¹⁾

Such, in part, my dear Brethren, are the motives why, as *loyal subjects* and *good citizens*, we ought to pour forth before the Lord our God, our souls in fervent thanksgiving for the blessings of the present General Peace, and more particularly for his having *strengthened the bars of our national gates*, while those of so many other nations have been forced open by insatiable, unrelenting foes; and for having *established the borders of this kingdom in peace*, during the whole time that the borders of so many others were laid waste by rapine and slaughter. With good reason may we join with the abovementioned prophet in singing the conclusion as well as the beginning of the 147th Psalm: *The Lord hath not dealt thus with any other nation.* But I promised to shew additional motives why, as

(1) The Hero of Waterloo.

Catholics, we ought to redouble our grateful praises to God for the extinction of the revolutionary war and the general return of peace and justice.

It is notorious that the deistical authors of the French revolution, and thereby of all the calamities throughout the world, which have been described, together with their numberless partizans and followers, though the declared enemies of all revealed religion, waged war of extermination exclusively against our religion ; accordingly all the blood that has been shed in such torrents in the deistical or revolutionary persecution, on the *mere score of religion*, has been *catholic*. The great oracle of the party, at the commencement of the work of disorganization,⁽¹⁾ ceased not to exclaim : “ *Il faut decatholiciser la France :*” *to succeed in your revolution you must drive the CATHOLIC RELIGION out of France.* These men accordingly entered on and prosecuted the work of *decatholicizing* with the greatest

(1) Mirabeau.

activity, or rather fury. They began by confiscating all the property, of whatever kind, even to sacramental plate which was destined to the support or service of the Catholic religion, without touching that of any other religion. They next abolished all religious orders of both sexes, leaving the members of them to the extremity of disgrace and penury. They then presented a captious oath, under the form of a civil test, but which, in fact, was a schismatical renunciation of the spiritual jurisdiction of the church, to all the officiating clergy, and, upon the refusal of it by the greater and better part of them, they proceeded to murder, by the hands of hired ruffians, above three hundred of them, including three bishops, within a day or two, at Paris,⁽¹⁾ and above three times that number in different parts of the kingdom; the rest of the clergy, of different descriptions, to the number of 50,000, after depriving them of the whole of their property at home, they sent to die of famine

(1) At the Carmes, the Abbeye, &c.

and misery in foreign countries. It must, however, here be acknowledged, and ought never to be forgotten, that the very large portion of faithful and persecuted Catholic Clergy, amounting to 6000, who sought refuge in this Protestant country, were not only hospitably received, but also generously supported by our humane sovereign and fellow countrymen. The Anti-catholic tragedy, performed at the head quarters of the revolution, was repeated, with a few variations, and, as far as circumstances permitted, in the different Catholic countries subjugated by the revolutionary arms, namely, in the Netherlands, in the Catholic Electorates and other States of Germany, in Savoy, Piedmont, and in the whole extent of Italy, but more particularly in Rome; finally, throughout the Western Peninsula. Every where the churches, monasteries, colleges and hospitals were despoiled, their revenues, sacred plate and furniture seized, and the bishops, clergy and religious, who refused to acquiesce in the irreligious and revolutionary measures of the invaders, were shot, or banished to

desert islands or countries, or shut up in dungeons, without being afforded the very necessaries of life. With respect to the two Pontiffs who have successively occupied the Chair of St. Peter, since the beginning of the revolution, the first of them, Pius VI. without even the shadow of a negociation, was seized upon by the deistical republicans in his capital, and carried away by force into a foreign state, and thence transported, with circumstances of singular cruelty, into France, where, like St. Silverius, St. Martin, and some of his other predecessors, he died a martyr to the obligations of his holy station. In the mean time his property, public and private, was seized upon, his Cardinals and Prelates were robbed and banished, every thing sacred was profaned, and the most glorious monument of religion ever raised by mortal hands, the Vatican Basilick, was sold to the jews, to be despoiled, and consigned to the jacobins for a club house. Then it was that the enemies of our church boasted of having gained a complete triumph over it, swearing that, as they

had deprived it of its necessary head; they would take effectual care it should not have another. But, my Brethren, there is no force, there is no fraud to obstruct the promises of the Most High. He had promised that the *gates of hell should not prevail against his Church founded on a rock*:⁽¹⁾ that is, on St. Peter, and his successors; in fulfillment, therefore, of this his promise, at the very period when our Anti-catholic foes thought themselves most secure of success, he dispatched against them, from the frozen regions of the North, a bold chieftain with an army of hardy warriors,⁽²⁾ who, by successive victories, cleared the way into Italy, and there enabled a free Conclave to be held, in which the present Holy Pontiff was elected and enthroned; which being done, victory resumed its former course, the Russians were forced to return upon their steps, and the Catholic Church became exposed to fresh trials and sufferings. Long did the arch enemy of the Catholic religion and of our country,

(1) St. Matthew, xvi. 18, 19.

(2) General Suwarow with his army.

by false promises and protestations, and every other artifice of the most consummate hypocrisy, endeavour to beguile the upright and unsuspecting mind of Pius VII. till, having proposed to him in open terms, "A confederacy against England according to a plan that should be laid before him,"⁽¹⁾ he met with a firm refusal. The consequence of which was, that our Pontiff, like his predecessor, was made a prisoner in his palace, robbed of all his property, even to his necessary apparel; dragged from prison to prison, sometimes on this side and sometimes on the other side of the Alps, and more than once threatened with instant death, if he persisted in refusing to gratify the tyrant. In the mean time we may well suppose that his faithful Cardinals and other true catholics, together with the capital of christianity itself, did not fare better under this than under the former persecution. With respect to our British establishments, English, Irish and Scotch,

(1) See the correspondence between the Pope's Court and the French Government, published at Palermo, and translated into English.—Keating and Co.

which the severe persecutions of former reigns had obliged our ancestors and predecessors to form in different parts of the continent, to the number of at least fifty, as well for the education of the catholic youth of both sexes, as for the supply of our ministry, and as retreats for the devout and contemplative, these, as the revolutionary arms advanced in success, were all swept away, with their funds and property of every kind, while their inhabitants were subjected to ill treatment of every sort, and, in many instances, sent into loathsome dungeons, where they long had to eat *the bread of sorrow* and to drink *the water of affliction*. From this imperfect sketch of the persecution which our church has continued to endure during the whole length of the revolutionary war, you will judge, my dear Brethren, what peculiar motives we catholics have to rejoice and return our fervent thanks to God for putting an end to it, more especially as we already begin to see the happy effects of the General Peace with respect to religion in the different catholic countries.

II. However great and happy this nation appears to be, and actually is at the present zenith of its glory, still, when its interior structure comes to be accurately examined, something defective and even insecure will be discovered in it, chiefly from the disunion of its component parts; which disunion, instead of being healed by the wisdom and justice of the laws, is perpetuated and enlarged by their inconsistency and want of equity. You will readily conceive, my Brethren, that I here speak of the penal laws against catholics; which, though greatly softened and diminished by the benevolence of his Majesty and the wisdom of the other branches of the legislature, during the present reign, yet a sufficient quantity of the more active and virulent part of them remains to render the objects of them, consisting of much more than a fourth part of the whole population of the united kingdom, contemptible and suspected in the eyes of the other parts of it, and therefore unhappy in themselves. Thus are internal animosities, with all their terrible consequences and dangers,

kept alive in the political body, by the very instruments which ought to eradicate them ; and yet the power from which these hold their force, (I mean the legislature itself,) has more than twenty years ago, aluding to the situation of the catholics, pronounced those wise maxims, that all British subjects, of whatever religion, ought to be united together in the bonds of cordial peace, and ought to be governed by equal laws. Yet what has been ever since, and what is still now the state of the laws with respect to the said catholics ? That is to say, of subjects who have introduced no new religion into the country, but who have barely adhered to that which was preached to their ancestors when the latter were converted and civilized ; who hold no political tenet inconsistent with the duties either of good subjects or citizens, but who are exemplary for the practice of them both ? I will shew what this state is in some few particulars. Those brave catholics, who have shed much more than their due share of blood in the cause of their country during the late war, have been refused the

consolations of their religion when dying, of their wounds, and this in a catholic country ; and every catholic soldier, in the same situation, is liable to meet with the same refusal, from the cruelty or bigotry of his officer, while the first article of war continues to be yearly sanctioned, such as it is, by parliament. I mentioned above that the British catholics have lost as many as fifty religious establishments on the continent, with the funds destined to their support, in the course of the revolutionary war. The injustice of their seizure in many instances originated in an anti-catholic intolerance, but in some of the earlier and more fatal instances, it arose from national hatred. The colleges of Douay, St. Omer's, and several others, were ordered to be seized in revenge for the British troops and navy having taken possession of Toulon, as soon as that event was known at Paris ; and yet, though we have lost so much for the cause of our country, and are otherwise encouraged to practice our reli-

(1) In the Peninsula during the early part of the war there.

gion and educate our youth at home, yet we are precluded from settling or bequeath-ing the smallest portion of our *own property* for the support of our chapels or our schools, and all such settlements or be-quests are declared illegal, under the pre-tence of their being destined to *superstitious purposes*. Again, matrimony, in our system, is an indissoluble contract and a sacrament, which is to be celebrated with a solemnity and publicity that the legislature has even copied it in the Marriage Act from the canons of the Council of Trent; and yet the laws do not recognize the validity of matrimonial contracts, among catholics, however sacred, solemn and public, but expose the wife and children to infamy and misery, merely on account of the clergyman's religion, before whom such contracts are made. The evil effects, however, of the invalidating clause, alluded to, as they affect the public morals, as well as the happiness of individuals, are now so well understood by the first authori-ties in the state, that it needs nothing but a serious and combined effort, on the part of the catholics, to get this particular and

most weighty grievance, as it certainly is in a conscientious light, effectually redressed ; especially as we can give complete satisfaction to all the constituted authorities, with respect to the mode of our concurring to the desired effect. Finally, our catholic noblemen, gentlemen, and people in general, though acknowledged to be of the purest principles and conduct, as subjects and as citizens, and though many of them have been distinguished for their services and sufferings for their king and country, are all of them degraded in their several ranks, as men unworthy of enjoying the constitution framed by their ancestors. It is this circumstance that wounds their feelings ; they are not, in general, very eager for posts or lucrative employments ; indeed they are sensible, that, in the event of complete emancipation, they would have but a poor chance of rising to such situations, and that they never could rise at all but at the will of a protestant sovereign : still, the idea of their not being even *admissible* to the favour of their master, whatever might be their merits, harrows their souls.

and humbles them to the lowest degree. It is the same inequitable and impolitic distinction subsisting in the laws, which causes even the more liberal-minded protestants to look down on their catholic neighbours in the same rank with themselves, as an inferior cast of beings, and which encourages the grosser and more intolerant among them to insult and persecute those of their own condition, till deeds of revenge and violence sometimes ensue, to the great injury of the public peace and welfare. I will not here take up your time with proving, what has already been intimated, how necessary internal peace and union are for the strength and well-being of every kind of society, and therefore shall content myself with barely reminding you how weak our England was, when divided under the heptarchy ; how comparatively strong she became, when united under one monarch ; how this strength was increased when the inroads of the ancient Britons and their jealousies ceased, by the wise condescension of our victorious Edward, in contriving that his eldest son should be born in their coun-

try ; finally, how great and powerful she grew to be when Scotland became united with her, which union was never perfect till the religious prejudices of the latter were gratified. What now hinders a still greater national benefit from taking place, by admitting the catholics of Ireland, that numerous, hardy, high-minded and rising people, together with the meritorious catholics of England, to the benefits of the British constitution, without injury to their religion ? I purpose, on the present occasion, stating to you some of the chief objections that stand against the admission ; together with what appears to me satisfactory answers to the objections ; and I embrace the present occasion of doing this, not only because the subject seems here to find its proper place, but also because I am now addressing a respectable audience of the different protestant societies, as well as of catholics, whose opinions may justly be expected to have their weight in the public scale.

It might seem, from the tenor of the laws

which catholics complain of, that they stand excluded from the benefits of their hereditary constitution, on the score of their being idolaters; since the door of admission to these benefits consists in an oath which declares that, *There is no transubstantiation in the mass; but that the said mass and the worship of the saints, as practiced in the Church of Rome, is IDOLATROUS.* It would be a melancholy reflection, and big with the most fatal consequences to the religion of our protestant brethren, if all their ancestors for a thousand years, from the days of their apostle St. Agustine down to those of Cranmer, in the reign of Henry VIII. together with all the other churches of Christendom, as well those out of communion with Romé as those in it, all of whom worshipped God by the mass and invoked the saints to pray for them — those ancestors, from whom they have derived their liturgy, their ministry, and their christianity, no less than their constitution—if all these, I say, had been involved in the guilt of idolatry. But if the persons who require us to swear that the mass is idolatry, will but candidly inquire what the

mass really is, they will be forced to confess that, even in the case of there being no real presence of Christ in it, there is at least no idolatry ; because it is admitted that *we catholics firmly believe him to be there* : thus, of course, our adoration is addressed by us to the living Christ, not to inanimate bread ; which bread, we are persuaded, after the consecration, by no means exists in the sacrament. The case is precisely the same as if any subject were to make his oath of allegiance to some inanimate representation of the King, or to an impostor, believing the thing or person to be his Sovereign ; in this case there would be a mistake, but evidently no treason. I will not, however, pursue this controversy any further, but will let it be supposed that our worship is idolatrous ; why, in the name of common sense and justice, should this crime be so severely punished in us, and passed over with impunity in all other subjects ? A man, for example, may be a Gentoo idolater, and worship the impure and sanguinary idol, Juggernaut ; or he may be a jacobin idolater, and adore a prostitute in the character of the Goddess of Liberty or the

Goddess of Nature ; or he may be a pure atheist, denying the existence of any Deity at all, and the obligation of moral virtue ; and still he may enjoy the benefits of the constitution, and even take a seat in parliament, provided he only swears that, *There is no transubstantiation in the mass, and that the mass is idolatrous !* Will posterity believe this ? Can foreign nations conceive it ? The real truth is, these oaths and declarations were invented and sanctioned a century and a half ago, when the nation was in a phrensy at the idea of a catholic succeeding to the throne, and when the senate itself was so far delirious as to vote the reality of that most chimerical and at the same time most barbarous of all fictions that jealousy ever conceived, Titus Oates's plot.

A more popular and acrimonious objection against emancipating the catholics is, that their religion enjoins persecution, that, of consequence, whatever power they might obtain would certainly be employed in exterminating their protestant fellow subjects. This is the never-failing engine of intolerant and persecuting men for rousing the

No Popery spirit and cry among the ignorant and vulgar. By this they raised a protestant association in 1780, which set fire to the metropolis and nearly overturned the state. By the same, with the help of misrepresented accounts of some low party riots in France, they have lately irritated the inhabitants of many places in this island to form similar societies, and to pass resolutions equally false and inflammatory.— I know that men of *all religions* have proclaimed and practised persecutions on those of different creeds from their own, when they have had it in their power to do so ;⁽¹⁾ but I do not know any christian church that teaches, upon principle, the doctrine of persecution. I grant that our Queen Mary Tudor put to death a great many protestants, as her sister Elizabeth, James I. Charles I. Oliver Cromwell, and Charles II. put to death a great many catholics, on the mere score of their religion, but it has been demonstrated⁽²⁾ that Mary's persecution originated not in religious but political mo-

(1) See *Letters to a Prebendary*, sixth edition, chapter on religious persecution.

(2) *Letters to a Prebendary*.

tives, and that the next catholic sovereign after her, James II. lost his crown for persisting in a *declaration of liberty of conscience*. But to come to the point in question ; I maintain that nothing short of the most stupid ignorance or the most consummate hypocrisy can support any man, at the present day, in declaring that he opposes the claim of the catholics from a real dread that, if the same were granted, they would have it either in their power or their disposition to practice persecution upon him or any other person.

There are those who are so deluded or so malicious as still to charge catholics with a disregard to the obligation of an oath, at least when taken to persons of a different religion from themselves ; which charge, however, by implication, falls likewise upon the wisdom of the legislature, since in all the several acts in our favour, during the present reign, there have always been oaths appointed to be taken by us. I will refute this foul imputation by facts, instead of reasoning. What but their sense of the sacred obligation of an oath, when taken to ty-

rants without any religion at all, caused the 50,000 virtuous clergy of France, mentioned above, to prefer the loss of their property, their country, and, in many instances; their lives, to the taking of the civic oath, so called, when tendered to them by their national assembly? Nay, what hinders our nobles from walking into the house of peers and taking their hereditary seats in it, and what hinders our gentry, clergy, and people in general, from emancipating themselves, without the aid of parliament, but their conviction that no consideration can excuse the guilt of perjury, nor any power on earth can permit the commission of it for a single instant? We have oaths, without number, appointed for a great variety of civil and religious purposes: but who will shew me one out of them all, which has so effectually answered its intended purpose as the two or three which are opposed to the consciences of catholics, for keeping them out of the benefits of the constitution?

The only remaining objection against the emancipation of catholics which I think it necessary to answer, is, that their clergy

and even a foreign prelate claims a jurisdiction over them, independent of the state. But have not protestants of all denominations and countries claimed the same jurisdiction? They have it: or else the Reformation could not have been originally preached in any place where it now prevails. Was the legislature ignorant of this claim, on our part, when it passed four different acts in our favour during the present reign? Or was it, perhaps, then indifferent about the securities necessary for the safety of the constitution? Neither of these things can be affirmed; nor can it, on the other hand, be asserted that the smallest detriment or danger to the state has accrued from the freedom of our spiritual jurisdiction which it left us; on the contrary, it must be confessed that this has added greatly to its peace and security in the sister island on many important occasions. What pretext then is there for shackling it now? And how will the diminution of the clergy's influence, which hitherto has been, and ever will be, while it is left pure and free, employed to keep the people loyal, peaceable and moral, tend to the security of the

state? Or how will the shackling of our clergy prevent nobles and gentry from making an unconstitutional use of any civil or political power which may be granted them? The misfortune is that some politicians, at the present day, cannot distinguish between temporal and spiritual power: yet the parliaments could make that distinction twenty years ago, as will appear by the oaths they appointed us to take, in the different acts they passed in our favour: in like manner, all denominations of protestants made it at the Reformation, as I have already signified; in a word, Christ and his Apostles made it throughout the whole course of their sacred ministry. On one hand, our blessed Saviour was perfectly obedient to the Civil Power in all temporal affairs,—going to be enrolled at Bethlehem at his birth, in obedience to Cæsar Augustus,—ordering tribute to be paid to Cæsar Tiberius, and even working a miracle to procure the tribute money due for himself and St. Peter: while, on the other hand, he claimed pure, independent power in the exercise of his spiritual jurisdiction: *All power in heaven and on earth,*

says he to his Apostles, *is given to me. Go teach all nations,*⁽¹⁾ *baptizing them, &c.* Being questioned by Pilate about his character, he owned himself to be *a King*:⁽²⁾ but, as he explained at the same time, that his *kingdom was not of this world*, he quite satisfied the mind of that jealous tyrant, who immediately afterwards told the jews that he found *no cause* (of death) *in him*. What occasion is there for any modern politician being more jealous of power than Pontius Pilate was? In a word, while we submit our property of every kind, our personal services and our very lives to our king and country, as we actually do; while we engage ourselves by oaths, which our conduct proves to be sacred, not to acknowledge the smallest civil or temporal power in any temporal Prince or Prelate, or in any case whatsoever; but to perform every duty of allegiance, as we are in the habit of doing; can it concern government or the legislature that the catholic bishops and priests, within their dominions, should continue to bless and

(1) St. Matthew, xxviii.

(2) St. John, xvii.

consecrate, remit sins to the contrite, regulate prayers and fasts and transmit the faculty of doing the same to others, an order among themselves and their usual œconomy, as is more or less practiced by all other societies of christians, whose ministers are not supported by the state. It is easy to shew that the legislature with equal wisdom and benignity accommodates itself to the scruples of other dissidents from the national church in far more important matters.

But, to conclude: whatever may be the conduct of government and the legislature in your regard, do you, my catholic brethren, as you are admonished in your prayer book, “exactly fulfil your duty to them,” obeying, as the Apostle commands, *not only for wrath, but also for conscience sake.* In like manner, if you are reviled with the abovementioned, or otherwise calumniated by your uninformed fellow subjects, *revile not again, but strive to overcome evil with good;* for thus you will possess your souls in patience, you will practice the characteristical virtue

of Jesus Christ, and you will gain over your offending brother, if he is to be gained at all, to sentiments of charity and peace.—We have already joined in offering up the Great Sacrifice of the New Law, in thanksgiving to God for the signal blessings he has conferred upon our country and ourselves in THE GENERAL PEACE! Let us now, before we separate, join in singing the usual hymn of thanksgiving, the *Te Deum*, for the same intention, and afterwards join in the appointed prayer for our gracious Sovereign, his Royal Highness the Prince Regent, the Queen and Royal Family and the Nation in general.

May the blessing of Almighty God, Father, Son and Holy Ghost, descend upon you and keep you for ever. Amen.

The Substance of a Sermon, preached at the Blessing of St. Chad's Chapel, Birmingham, Dec. 17, 1809.—A Funeral Oration on the Death of Louis XVI. &c.—A Sermon on the Thanksgiving Day for the Recovery of the Health of His Majesty, &c.—The History of Winchester.—Letters to a Prebendary.—A Treatise on the Ecclesiastical Architecture of England during the Middle Ages, &c.

A R E P L Y

TO THE

R E P O R T,

PUBLISHED BY

THE CISALPINE CLUB.

PRICE ONE SHILLING.

E R R A T A.

Page 14, l. 4. for letters, r. letter. p. 18, l. 25. for has
r. have. p. 20, for accidentol r. al. *ibid.* at the end
of the note, add, See also the said Lord Ch. B. Gil-
bert's and L. Chancellor Talbot's doctrine, on the
voidance of deeds by slight erasures or alterations
which do not at all affect the sense, when made by
the parties themselves. p. 24, l. 14, 15, 16. dele
emblazoned with the names of the principal Catholics
of England, of which the antiquated deed had been
stripped, p. 28, l. 24, dele apprehend to have been
illegal, and am. p. 29, l. 3, 4. dele taken out of the
House of Commons, and the signatures. p. 30, note,
before signatures, r. same. p. 31, l. 12, for all r.
some.

N. B. The five last errata have been occasioned by a
mistake, into which I had been led by the Blue Books and
the late Report, in supposing that the original signatures
of the Catholics to the celebrated Protestation, had been
presented to the two houses of parliament. It was natural
to draw this inference from the following passages, a-
mongst others of the same import: "an instrument was
"generally signed and presented to both houses." 1st B.
B. p. 13. "The Protestation was a solemn instrument
"signed, with a few exceptions, by all the Clergy, &c. to
"the houses of parliament, &c. your Committee had so-
"lemnly presented it." 3d B. B. p. 8. "Six bishops,
"near 240 clergymen, &c. had signed that instrument.
"In the name of the body we had presented it." *ibid.*
p. 12. In confirmation of this opinion, I observed that
all the other papers, published by the Committee, as a
separate body, bore their names, whilst the Petition has
no names annexed to it. See Appendix to 3d B. B. N. iv.
Hence I supposed it to have been emblazoned with the
signatures of those in whose name it was avowedly deli-
vered. In short the late Report, speaking of the Pro-
testation, has the following terms: "When it was pre-
"sented to the house in the form of a petition, the lan-
"guage of it was necessarily varied to adapt it to that
"form." p. 4. In consequence of the former passages,
I long imagined that the original deed, signed, as it had
been

A R E P L Y

TO THE

R E P O R T,

PUBLISHED BY

THE CISALPINE CLUB,

ON THE

AUTHENTICITY OF THE PROTESTATION

AT THE MUSEUM:

IN WHICH THE

SPURIOUSNESS OF THAT DEED IS DETECTED.

Melius non tangere, clamo.—HOR.

BY THE

Rev. John Milner, F. S. A.

L O N D O N:

Printed by J. P. COCHLAN, No. 37, Duke-Street, Grosvenor-Square; and Sold by Messrs. BOOKER, Bond-Street; KEATING, Warwick-Street; LEWIS, Russel-Street; DEBRETT, Piccadilly; and ROBINSONS, Pater-Noster Row.

M,DCC,XCV.

been by us all, was delivered in to parliament : but when I discovered that, instead of the original, a petition was presented, I was induced to believe, particularly by the last quoted passage, that no other change had taken place, except precisely such an alteration in the terms as was necessary to adapt it to the said form of a petition ; and that of course, our signatures at least had been laid before the legislature. Thinking it however necessary to ascertain this point, by information immediately derived from the House of Commons, whilst my work was actually in the press, I discovered (but too late to introduce the proper corrections into the text) that the petition of the Catholic Dissenters, delivered to the House of Commons May 7, 1789, (on which day a similar petition was presented by Lord Rawdon to the House of Lords) was signed by 13 persons only, almost all of them then members of the late Committee, whose names of course still remain affixed to it. This discovery exhibits the transactions in question in a more favorable light, in some particulars, and in a more unfavorable light in others, than I have represented them. It appears indeed that our signatures were not *illegally* presented to the Museum, or withdrawn from the House of Commons; because, in fact, they never had the honor of being delivered to the latter, for which purpose, however, we conceived that they had principally been affixed. It appears also that none of the 33 punctures, which are seen in the parchment, at the head of the signatures, were occasioned by tacking the latter to the petitions to the two houses : but this very discovery only aggravates the proof of forgery against the instrument in the Museum, as every man of common discernment will instantly see. This unimportant mistake, with the corollaries from it, being thus rectified, whatever else I have advanced on the present occasion, particularly in proof that the instrument in the Museum is not the same that we originally signed, and that the petition presented in our name to Parliament essentially differs in sense from them both, in many particulars, stands evident and incontrovertible.

TO THE
MEMBERS OF THE CISALPINE CLUB.

GENTLEMEN*,

I HAVE received a printed copy of the "Report" made to you by the "Law-members of your society," and of your "Resolution" grounded upon the same, dated the 10th. of February 1795, which your secretary was ordered to transmit to me, in common with the Apostolic Vicars, the Coadjutors and the Rev. Mr. Plowden, relative to "an assertion of Mr. Milner, repeated by Mr. C. Plowden, respecting the authenticity of the Protestation lodged in the Museum."

I am sensible how disgusting the appearance of any fresh debate, connected with that unhappy controversy, which ought ever to be forgotten, will prove to the Catholic public; and I feel how irksome and how distressing to myself the task is which you impose on me, of proving an assertion, made in the heat of controversy, and so long ago as the publication of my *Ecclesiastical Democracy Detected*. But called upon as I am by Gentlemen, highly respectable in our body, as individuals, however little they are so, as a Cisalpine Club, I am not at liberty to refuse them the proofs they demand; and I am aware of the consequences to be apprehended, at

* The author has but an imperfect knowledge who the remaining 27 members of this club are. This will account for any fault in point of etiquette into which he may fall.

their next meeting, shonld I fail to produce these proofs. Even, in these circumstances, I should not have had recourse to the press, had I not experienced, in a similar case *, how unsafe it is to trust to private letters, even in the hands of honorable men, for a faithful report upon proofs and authorities, when the same are found to be unfavorable to their views.

I trust, Gentlemen, you will ascribe my reluctance to enter into the present question to its only cause, a disposition to make every other sacrifice, except that of truth, at the altar of peace. In order to expose this to as little fresh danger as possible, I shall suppress a great deal of useful matter that presents itself to me, and shall endeavour to make the present discussion, on my part, wear the face rather of literary criticism than of angry controversy. I cannot however conceal my conviction that, in every other point of view, except that which I have exhibited, the present inquiry is interesting, useful, and in some sort necessary. Hence if I am forced into a state of war I shall console myself with the prospect of the advantages that are likely to be the issue of it. These advantages are, the information of Catholics concerning a business, in which they are so much interested, and which is so little understood amongst them, the removal of a blemish, which is supposed at present to disgrace them, in consequence of their names being pledged to an ambiguous and

* See *Appendix to Ecclesiastical Democracy Detected*, p. 283. & seq.
captious,

captious exposition of Catholic doctrine, the taking away of a source of scandal from the pious, and of declamation from innovators in all succeeding times. May I not also hope, Gentlemen, if I can prove your honor to be no way concerned with the parchment in the Museum, that, together with the ostensible reason, you will give up the name and spirit of those opposition assemblies, at which your brethren are so much offended ? The parchment in the Museum is understood to be the charter of the Cisalpine Club : if then the authenticity of that deed be invalidated, the society itself, as a regular assembly, is dissolved.

In order to answer the above-mentioned purposes, it is necessary for me to present a more enlarged view of the subject than has yet been exhibited, and to shew in how many particulars the Catholics have been led into error with respect to this celebrated deed of Protestation.—Having then, to the number of about 1500, subscribed to the said formulæry, in the months of March and April 1789 (under what explanations and assurances it is not my present business to inquire) they have been led to believe that the skins of parchment on which their names were written, were, without loss of time, affixed to the same, and that they have never been ripped off from it*, much less that they have been annexed

* "Transmit the parchment (of signatures) to me, and I will take care that it is annexed to the original." *Printed Circular Letter of the Secretary, April 7, 1789*.—*The signatures of the Protestation were taken on separate small skins of parchment,

annexed to any other instrument. Having been assured that "the Protestation was a solemn instrument avowedly framed to be presented to the legislature*," they generally understand that the same instrument, thus framed and signed, was soon after + presented to the two Houses of Parliament ‡: of course they are very far from imagining that any other deed, except that which they actually signed, much less that any other doctrines, except those which they had an opportunity of examining, were presented to the legislature in their name. In a word, they have been taught to believe that the identical original Protestation which was produced and signed at Slaughters Coffee-house, at the Crown and Anchor Tavern, and elsewhere, in the month of March 1789, has continued one and the same instrument, sacred and inviolate, down to the present day, together with the original names, at that time or about that time, annexed to it, without any

" and sewn together and annexed to the Protestation. The Protestation and the signatures were delivered to the printer to be printed." *Letter from the same to the Author, May 11th, 1792.*
See *Eccles. Democ.* p. 301.

* *2d Blue Book*, p. 4.

+ It was presented to the Commons May 7th, 1789. It appears to have been given in to the Lords a few days earlier.

‡ "An instrument was generally signed and presented to both Houses of Parliament." *1st Blue Book*, p. 13.—"This instrument (the Protestation) has been publicly delivered, before the eyes of the nation, into the hands of the legislature." *Ibid.*— "The Protestation was a solemn instrument signed by all. To the Minister, to the Houses of Parliament, to the Nation your Committee had solemnly presented it." *3d Blue Book*, p. 8.

addition,

addition, mutilation, cutting to pieces, new combination, or any other alteration whatsoever, in any part of it. Such is the purport of your late report; but, what is of more consequence, such are the indispensable requisites to constitute an authentic instrument. Take notice, Gentlemen, your Protestation at the Museum is not authentic if, upon examination, it fails in any one of these particulars. What then if I prove that it fails in them all?

I shall first join issue with your reporters on the precise point which they profess to have investigated, namely, whether the deed at the Museum is "a copy, or the original identical instrument of Protestation, signed as above, with the original names of those who signed it, without any trace or mark of alteration in it, or the slightest reason to suspect that any has been made *?"

To prove the affirmative of this question, your four law-members, commissioned by you to make a report upon the same, have recourse to extrinsic and intrinsic evidence: they call in testimony, as to the custody of the instrument, and "they inspected and examined the Protestation with the greatest attention †."

With respect to the former, the Committee themselves say nothing: that I am not surprized at, but,

* Report made to the Cisalpine Club; p p. 3, 4. I am happy to find that the Reporters and myself agree in the meaning of the word AUTHENTIC, namely, "the original identical instrument" as opposed to "a copy." Thus the Greeks, from whom that word is borrowed, opposed ἀυθεντικὸς to ἀντίγραφος.

† Ibid. p. 3.

what, I own, appears to me extraordinary is, that even Mr. Butler their secretary is entirely silent upon it, and contents himself with referring us to "Mr. " Hope his head clerk during the whole time he " was secretary to the Catholic Committee, and " who had the charge of all the papers relative to " that business*." The precise testimony of Mr. Hope is not stated; but in order to answer the present purpose it must have been to the following effect; viz. that the Protestation, having been in his custody, from the month of March 1789 until the 29th of December 1791, when it was deposited in the Museum, he can undertake to certify that no substitution of a copy for the original, or any alteration whatsoever in the deed, did or could during the said time take place.—Mr. Hope is a lawyer and therefore will not be surprised if, after having given his evidence, he is cross examined.—You say then, Mr. Hope, that you had the custody of the deed of Protestation, until it was lodged in the Museum. It is indeed surprising that Mr. Butler, who, in his circular letter informed us that *the original Protestation was then in his custody†*, should have given so important a deposit out of his own care, into that of any other person, especially of one, who, whatever his merits are in other respects, not being a member of our religion, must have laughed in his sleeve at the whole business of our controversies, and who never could consider the Protestation

* *Ibid.* p. 1.† *Printed Circular Letter, Ap. 7.*

in that conscientious light that we did. However, so it happened that you, Sir, had the charge of the Protestation, during all the aforesaid time. Did you then convey it to and from the different meetings of the clergy and laity, at which it was signed ? No.—From some of them I believe you were excluded, as not being a Catholic. Did you convey the instrument to Bath, to Wardour Castle, to Lullworth Castle, &c.? No. Did you deliver “the ‘Protestation and the signatures,’ as your principal informs was done, “to the printer to be printed,” and were you present the whole time that the splendid edition, for the use of members of Parliament, was in hand ? If you were present you will probably be able to answer a question, which I have hitherto ineffectually asked; viz. how it came to pass that, in an edition of the Protestation, avowedly circulated to induce the legislature to believe that all those, and amongst the rest the bishops, whose names appeared to the Protestation, were friends to the condemned oath *, and that only J. M. and three other nameless persons † formed a party against it, how it came to pass, I say, that my name did not appear in the said edition ? In answer to this you will say that it was impossible for you to be present the whole time the printers were at their

* See Appendix, No. VII. to the 3d Blue Book.

+ These were the three Bishops, who have acted in such happy concert, for the preservation of our little church, and whose names will one day stand, upon ecclesiastical record, with the Athanasius's of ancient times.

work? Did you, Sir, then present the protestation to the officers of the Museum? No.—Why then, Mr. Hope, what signifies the care you took of the instrument, at certain times, whilst it appears to have been out your sight and custody, at so many other times during the said period?

Solventur risu tabulae; tu missus abibis.—Hor.

So much for the testimonial proof of the authenticity of the protestation. You next proceed to intrinsic evidence, grounded upon actual inspection; which, for the greater accuracy and regularity is appointed to be made by your four law members.—Upon what now rests the report which they have made in favor of the instrument? They say that, having “inspected and examined it, with the greatest attention, they could discover no trace or mark “of any alteration in it, nor the slightest reason to “suppose that any has been made.” I shall make no apology for apostrophizing them in the same manner that I have done Mr. Hope.

Did you then, Gentlemen, discover no marks or traces of mutilation, at the top of the first skin: no empty needle holes which indicate the cutting away of a skin of parchment, which once had been sewed to it? Did you find no additional skin, affixed to those, which contain the form of the protestation and the signatures, at the bottom of the scroll, and forming one and the same instrument with it? Did you observe no traces of the scrolls having been taken to pieces in various parts, and put together

gether again in a very suspicious way? Did you see no new signatures foisted into the list of names, since the meetings and the times you have referred to, that is to say, since the list was given into parliament? Above all, Gentlemen, did you remark no variations, or different readings between the text itself, as it stands now in the parchment at the Museum, and as it existed in the original which we signed? If, after an attentive examination and inspection of the deed, you could discover nothing of all this, then however eminent you may be, in other branches of legal science, you are poor proficients in the diplomatic branch, and very ill qualified to investigate the authenticity of manuscript instruments.

Now then, gentlemen of the Cisalpine club, permit me to call your attention to the result of my inspection and examination of the deed at the Museum.

I assert that, at the top of the first skin, before the words, "We whose names are hereunto sub-
" scribed," there is a regular series of needle holes, through the whole breadth of the parchment; the last of which holes, (proceeding from right to left) is torn through the margin, as would naturally happen from ripping the threads, that connected two skins together, in a hasty manner. Now this appearance, in my judgment, is a very unequivocal mark of the mutilation of a skin, that once formed part of the deed in question, and which, no one will doubt, contained the title at large of the protestation. In my *Ecclesiastical Democracy Detected*,

I pointed out the palpable difference in this point, between the last edition of the protestation in the Blue Book, and the deed in the Museum; in the latter I said, "we are described as the *Catholics of England*," in the former we are "intitled *Catholic Dissenters*," hence I concluded that, either the protestation had been printed differently from the original, in this particular, or else that the deed in the Museum is not the original. On this passage your reporters have made some remarks, but which are nothing at all to the present question. For, I ask you, is not there a palpable variation between the manuscript, and the printed copy in point of title? The cause of this important variation the writer of your report endeavours to explain; but whilst the variation itself is admitted, does not my abovementioned dilemma stand evident and incontrovertible? The cause however that is here assigned for printing the edition in the Blue Book, differently from the pretended original, is most curious, and such as does very little honor to the latter. The title of *Catholic Dissenters*, &c. is said to have been affixed to the head of this edition, because the same had been affixed to the back of a former edition, which had been made for the use of members of parliament. Ought not then the editor of the Blue Book, in this case, to have informed the public, that he did not undertake to give them a copy of the original protestation, but the copy of an altered copy of it? But what was the reason for affixing this title to the former printed edition? In order, we are

are told, that "a person ignorant of the Catholic concerns, might know what the said instrument was without examining it at length." This mode of reasoning is still more laughable than the former: In order to distinguish us in the eyes of persons, who are "ignorant of our affairs," we are described to them by a name that we never bore, and that never can apply to us; that is to say, to enable members of parliament to find out *The Declaration, &c. of the Roman Catholics*, it is intitled *The Declaration, &c. of the Catholic Dissenters!*

II. I proceed, Gentlemen, in my examination of the false instrument. I have proved that it has been essentially mutilated at the beginning: I shall now demonstrate that it has been equally interpolated at the end. I say then that there is now seen, affixed to the lower end of the instrument, a skin of manuscript, which avowedly never made part of the original, the contents of which have never yet been made known to the Catholic public, in any shape whatsoever. It is true I did not, when I collated the protestation, take a copy of this long interpolation, but I distinctly remember that it contained assertions, which many Catholics, if they appeared, would warmly contest, and that, in particular, a considerable part of it was calculated to impress the following false idea upon posterity, that not more than three individuals, who had signed the protestation were desirous, in December, 1791, to have their names withdrawn from it.—I do not contest

with any gentleman the right, which I claim myself, of making whatever notes or remarks he thinks proper upon this celebrated instrument, or the right of lodging the same in the Museum, if the trustees give permission for this purpose. But, observe, no diplomatist, who is jealous of the authenticity of a public instrument, will himself incorporate such private and unauthorized materials with it; much less, when he finds such added to it by another hand, will he report that he finds "no trace or "mark of any alteration in it."

III. Again, your Reporters inform you, that they found annexed to this supposed original deed, "the original names of those who signed it, at "Slaughter's coffee-house, at the Crown and Anchor "tavern, and of the different Catholics amongst "whom it was then circulated." By this I understand that the original names, and none but the original names, are annexed to the scroll, and that no new signatures have been foisted into the list, since it was made up, and presented to the legislature. Should the contrary have happened, this would form another instance of interpolation. I pass rapidly over the other signatures, concerning some of which, it is notorious, great complaints of unfair dealings have been made, and also certain very suspicious signatures that caught my eye before the 150th name, and I come down to the skin, with which I am best acquainted, that in which my name has the misfortune to appear, viz. the last but one, that contains signatures: now in this very skin I main- tain

tain that two names, those of *Wm. Plowden, M. D.* and *Hen: Weedall*, have been foisted in since the month of April, 1791, that is near two years after the list was made out and presented to parliament. In proof of this I refer to that perfect list, now under my eye, which was circulated amongst members of parliament; and which the secretary has certified contained "the whole of the names *." By the same argument it is proved, that the last name of all in the list has been interpolated, (and, to my certain knowledge, at a still later period than the two others) a name that has no pretensions to stand on the same roll, either with Englishmen or with Catholics. It is that of *Alexander Geddes, L. L. D.*

IV. I maintain that the deed in the Museum, bears upon its face the marks of fraud, and of counterfeit manufactory. I lay no stress upon the freshness of the two skins, on which the protestation is written, compared with those containing the signatures; which seems to argue that they have been tacked to them at a later date: but I refer to the punctures and marks, to be seen in many places of the scroll, which shew that it has been taken to pieces, since it was first formed and made into one *Charta-partita* instrument: and I refer, in particular, to the top of the third skin, where the signatures commence, which is evidently much rumpled and worn with handling, and which, in an extent of twelve inches (the whole breadth of the

* See Letter to the Author, May 11, 1792, in Democracy Detected, p. 301.

parchment) is perforated with no fewer than thirty-three needle holes, besides those occupied by the threads, which fasten it to the present protestation. Now the very taking to pieces of a *Charta-partia*, at least where, as in the present case, there is no *Chyrographum* or *indentura*, to attest the relation of the parts to one another, totally destroys its credit, as an authentic instrument: And the state of the third skin in particular, as described above, forms so strong a presumption of the signatures having been fixed to other instruments, besides that which they grace at present, as no mind can resist.

V. But I have now done with presumptions of fraud, and with all such arguments as only militate against the *authenticity* of the present protestation; I appeal to the text of it, which I proclaim, varies, in several points, from that, which we signed six years ago: of course it is evident, that the above-mentioned is, not only a copy, but also a falsified copy. In proof of this, I call upon you to collate, as I have done, the present instrument, with the original edition of the protestation, I mean with that printed sheet, to which you refer in your report*, and which was circulated amongst us with the skins of parchment for our signatures. It was to the text, as this sheet exhibited it, that nine tenths of the subscribers affixed their names. That this text was strictly accurate we have the testimony of the able foreman of your present Reporters, then secretary

* "The printed sheets circulated amongst the Catholics, with the parchments for their signature had no title." *Report*, p. 2.

to the committee, upon whose talents and professional learning, no one will bestow warmer or more sincere applause than myself; the following is an extract from his printed circular letters, dated April 7, 1789.—“The committee anxious to procure the signature of the Catholics to it (the protestation) have directed me to circulate it for that purpose. I therefore take the liberty to address this to you. You receive with this a printed copy of the protestation, (WHICH HAS BEEN ATTENTIVELY COMPARED WITH THE ORIGINAL NOW IN MY CUSTODY) and with it, a skin of parchment; upon which you, and those whose signatures you procure, are requested to write your names, &c. C. Butler, Secretary.”—I am warranted then in considering this printed sheet, thus certified to have been attentively collated with the original, as being strictly conformable to the original, and indeed, in some sense, as the original itself, since, it was that, to which the greater part of our subscriptions were actually given *. What would add, in an infinite

* A copy of any instrument, thus certified by due authority, to be conformable to the original, is termed by Diplomatists *a Vidimus*, and is admitted by them to be of sufficient authority, to determine the authenticity of the original itself, if any question, on that head takes place in after times. See *Dom Vaines. Dill. Diplo. Copie.* It is essentially requisite that those persons, who chuse to satisfy themselves with their own eyes, whether the deed in the Museum be authentic or spurious, should procure this first edition of the protestation, printed on one page of a broad sheet, copies of which were sent round the kingdom in April, 1789, with parchment to procure signatures. Those persons who have not an opportunity of examining the spurious protestation in the Museum, may remain satisfied that the edition in the last Blue Book is, with the exception of a single point, and the addition of the title at large is exactly printed from it. degree,

degree, to the authority of this first edition of the protestation, if it stood in need of the least credit, is that it is supported throughout in sense, grammar, and punctuation, by the second edition of the same, which was given by the Rt. Hon. Lord Petre, in the *Appendix* to his *Letter*, addressed to the *Rt. Rev. Dr. Horsey*, dated *March 22, 1790.* And yet this latter edition was not printed from the former, as appears by the difference with respect to small and capital letters, that is seen between them. Indeed his Lordship having constant access to the original, it is not to be supposed that he would have recourse to any other.

It is only by an attention to slight circumstances that literary frauds, or indeed frauds of any kind, can, in general be detected, and those persons, who cannot bend their minds to such minutiae, must give up all pretensions to diplomatic criticism, and to pronounce upon the authenticity of records.—Mr. Plowden has justly observed, in the passage you quote, that the variation of a single point in the present parchment, from what is known to have existed in the original, would prove that the former is not the original, but a false copy. The question however at present (to speak first of punctuation) is not about the difference of one or two stops, but of as many stops as there are whole lines in the above-mentioned printed sheet: in short, they are about forty in number, several of which materially affect the construction; as where a passage is respectively divided, by a subordinate stop, into different clauses,

or by a full stop, followed by a capital letter, into different sentences. I will not detain you with all these particulars, but I appeal to any man acquainted with the business, whether the numerous variations in question, between the aforesaid printed copy, and the pretended original in the Museum, are the casual errata of a hasty typographer; or two different studied systems of punctuation? Had they been errata, would they, in such numbers, have escaped the observation of the accurate collator above-mentioned? Would they have been copied by the aforesaid Rt. Hon. Author? I may argue, in a similar manner, with respect to the dashes — — which are seen in the present parchment, but for which there is no authority in the two first editions; as also for the change of the Roman cyphers I. II. III. IV. V. into the arabic cyphers, with letters, as follows, 1st. 2d. 3d. 4th. 5th. In all these particulars, observe, the collated edition in 1789, and Lord Petre's edition in 1790 agree together, with the difference of a single point; on the other hand, the modern parchment in the Museum, which disagrees from them in all these particulars, is exactly copied, with the variation only of a single point, in the edition for the use of members, in April, 1791, and that of the Blue Book published April 21.

1792.

I proceeded now to variations of greater consequence, such as will be found to affect the grammar and the sense of the protestation. On this point I have to observe that it is of no consequence to the main question, whether these alterations are made

for the better or for the worse: because, if any alteration at all is proved to have taken place in the text, as it stands now, and as it is known to have stood formerly, then a fraud has most undoubtedly taken place, and a spurious protestation has been lodged in the Museum, instead of the authentic one. But take notice, this circumstance is of great consequence to me, who signed it, as an erroneous deed, and who could not be induced to fix my name to it, until the learned Divine who gained my signature, had acknowledged that it was *inaccurate**. This concession, as I then conceived, secured me from the wrong inferences, in point of theology, of which I saw it was susceptible, and enabled me to declare my civil and social principles in a form of words, which, it was given me to understand, had been prescribed and even imposed by ministry. Nothing however contributed more in my mind to smooth away these theological imperfections, than the faults which struck me in the grammar and sense of the instrument. To correct any of the latter then, whilst the former are left behind, is to do away, in some degree, the motives for my subscribing.

The first then of these solecisms of the original, which has been corrected in the new instrument, and in all the late editions, occurs in the third paragraph of the article, marked II. in the collated copy, and in his Lordship's edition, which stands thus: " We
" believe that no act that is in itself immoral or
" dishonest can ever be justified by, or under colour

* See *Democracy Detected*, p. 296.

" that

" that it is done, either for the good of the church,
 " or obedience to any ecclesiastical power whatever." To do any thing *for obedience*, as it occurs here and in Lord Petre's edition, is evidently an error in grammar; it is therefore corrected in the Museum parchment and in all the late editions, as follows, " done either *for the good of the church, or in obe-*
dience, &c." The next solecism, which occurs in the succeeding paragraph to that which I have quoted, is still more flagrant; viz. " We do so-
 " lemnly declare, that no church *or* any prelate
 " nor any priest, &c." So we also read in the Nobleman's edition. But the Museum parchment and the two abovementioned late editions very grammatically turn the affirmative *or* into the negative *nor*.—I ask you now, Gentlemen, does any of you believe that the original, with which the learned Secretary compared this first edition, was the protestation in the Museum, which is free from both these blunders? Does any of you believe that the noble Lord, writing to a learned prelate, would deliberately have sanctioned such blunders, if he had not thought himself obliged to adhere to the text of the protestation as it then stood?

But I have now an opportunity of making some amends to the collated edition and to that of the noble Peer. In the next variation which I have to produce, their reading is much more conformable to the context and to common sense, than that of the modern instrument, and the late editions, which are copied from it. Cast your eyes, Gentlemen,

on the article, marked V. in the first edition and in that of Lord Petre: you will read as follows.

" And we have also been accused of holding, as a principle of our religion, that *Faith is not to be kept with heretics.*" Thus the charge against us is made in the same words, with those in which it is afterwards denied, as follows " This doctrine, " that faith is not to be kept with heretics, we reject, &c." Whereas the aforesaid charge in the Museum copy, and in the two new editions, is changed thus " We have been accused of holding, &c. that *no faith is to be kept* with heretics:" which, in fact, is a much more extensive and absurd accusation.—If I am rightly informed by a celebrated literary character, not an officer of the Museum, your Reporters actually discovered this variation, when they inspected the parchment, though, it seems, they did not think it worth their while to trouble you with an account of it*. Their mode of explaining this is said to be, by *an accidental transposition of the press.* Thus they are reduced to support the latter reading as the true one, because it is seen in the modern parchment, though contrary to the context and to common sense; and thus the very

* The doctrine here and elsewhere laid down is strictly conformable to that of Lord Chief Baron Gilbert in his celebrated work on *The Law of Evidence*, where he says: " If there be several covenants in a deed, and one of them be altered, this destroys the whole deed: for the deed is but a complication of all the covenants, so that the deed, which is the whole, cannot be the same, unless every covenant, of which it consists be the same also."

4th Edition, p. 106.

man, who had before assured us that the ancient edition had " been attentively compared with the original," is obliged now to say, that it was ~~the~~ merely inaccurate and erroneous, in a manner that affects the sense.—But did the same transposition of the press accidentally happen at the same identical place in the Noble Lord's edition? As likewise in the corresponding passage of the petition to parliament?—The truth howevers is, that no transposition whatsoever, either of words or even of letters, can transform one of these sentences into the other,

Whatever be said of the motive for making the above mentioned change, (for I am perswaded there was a motive for it) I certainly give the author of the following credit for his intentions. In the collated edition, supported by his Lordship, we read, in the last paragraph but two, that " no breach of " faith with any person whomsoever, can *ever* be " justified by reason of, or under pretence that " such person is an heretic or *an infidel*." Now in the present instrument and in the edition of the blue book, the emphatical word *ever* is, from an apparent qualm of conscience, suppressed. Probably the forger of the amended Protestant, which is the subje^ct of the present inquiry, had, in the course of our controversy concerning the oath, heard of the permission which St.Paul *1 Cor. c. vii. v. 15.* gives, in a particular case, of breaking matrimonial faith with an *infidel* partner. But the intentions of the person in question, be he who he may, have nothing

thing to do with the authority of the piece. The significant emphatical word *ever* occurred in this passage of the original instrument—(the foreman of your report and Lord Petre are vouchers for it) that word does not stand, nor any erasure where it might have stood, in the corresponding passage of the instrument at the Museum : the said instrument then at the Museum is not the original protestation.

Q. E. D.

Thus then those strong presumptions of forgery in the present instrument, which I stated at the beginning, are now converted into positive proofs, and henceforward I trust that even the members of the Cisalpine Club will, with the candour and liberality of gentlemen and scholars, abandon the hopeless cause of the present spurious protestation, and take the proper measures for withdrawing the 1500 names from it, which, in fact, were never subscribed to it, and which, by a series of diplomatic frauds, as they will see, are at present annexed to it.—I speak merely to facts: I neither cast guilt, nor the suspicion of guilt, upon any one. And with respect to the late Committee, I have heretofore testified my persuasion, that they are men of too much honor either to practise or countenance any fraud whatsoever*.

The

* See *Democracy Detected*, p. 268. The author has been censured by persons, for whose opinions he entertains the utmost respect, for the latitude of allowance which he has made in the said passage. He is far however in that passage, or in any other part of his

The authenticity of the protestation in the Museum being compleatly overturned, and it being demonstrated that a spurious copy is at present lodged there instead of the original, I might here drop my pen, had I not promised something more, and were it not necessary, for the compleat information of Catholics, in a business which so much interests them, that they should be acquainted with certain intermediate changes which this Proteus of a protestation has gone through, between its present shape and that in which we first of all beheld it. Upon this subject however I will be as brief as possible.

You will observe then that in both the passages, which you do me the honor to quote, I maintain, by way of invalidating the authenticity of the present protestation, that it is not the same which was presented to Parliament. The Catholic public indeed has hitherto been of a contrary opinion. They could not believe it to be either just or safe to present any other instrument to Parliament in their name, except the original which they had signed, and which had been “ avowedly framed to be pre-

his writings, from denying that any persons, whose authority has been abused by artful agents or bad canonists and divines, to the sanctioning of doctrines or measures injurious to the spiritual welfare of others, are obliged in conscience to disavow and retract such doctrines or measures, when they are properly made known to them. On this important point he bows to the decision of our ecclesiastical superiors and he subscribes to the general doctrine of divines. See *Pastoral Letter of the three Bishops, Dec. 26, 1792, p. 16.* Vide *Theologos paup., de restitutione ob damnum in bonis spiritualibus.*

* fented to the legislature.*." It is however now openly acknowledged, that indeed the protestation " was not presented in its ancient shape, but in the " form of a petition." What, now I ask, is the nature of this form, which, without change of quality or quantity, this one indivisible, authentic instrument is described to put on, at its solemn entrance into Parliament? To my mind, I own, it does not present a more distinct idea than the form of the ghost, which is described to have appeared *in the shape of the sound of a drum*:—The plain fact is, the original instrument, after which we inquire, was laid aside on that solemn occasion, and a spurious protestation, emblazoned with the names of the principal Catholics of England, of which the antiquated deed had been stripped, was introduced into Parliament in its stead; as another changeling, with the same stolen ornaments, since has been into the archives of the British Museum. I am willing to make every liberal allowance to persons engaged in the conducting of an intricate and fluctuating business; but on no principle whatever is it excusable to change even the language of a public instrument, especially where doctrinal points are concerned, whether it be in modelling a declaration into the form of an oath or of a petition; and least of all where there is an intention of setting up a claim to authenticity in favor of such an instrument. It is not however the language alone that was changed in this new form of the Protestation, but the sense

also, in a variety of important instances, as I now proceed to shew.

In the first place I observe that the name *Catholic*, by which we are distinguished in the Protestantism; is every where suppressed in the petition*, to the number of near a dozen times that it occurs; instead of which we are made to assume a variety of appellations; and particularly in the introduction, that odious, schismatical and incongruous title of *Catholic Dissenters*. The introduction to the Protestantism stands thus " We whose names are hereunto " subscribed *Catholics of England, &c* :" which in the petition is changed as follows " The humble pe- " tition of the persons whose names are hereunto " subscribed on behalf of themselves and others " *Catholic Dissenters of England, sheweth &c.*" Thus every man, whose name was affixed to the protestation, has been made to assume, in the face of Parliament, the name of a *Catholic Dissenter!* Is this a mere matter of form? The Catholic body will not think so.

In the fourth paragraph of the Petition we read as follows: " Your petitioners ought not to suffer " for or on account of any wicked or erroneous " doctrines that may have been holden or that may " be held by *any foreign Roman Catholics.*" This

* Catholics are not in general aware that they have this new form of the Protestantism, I mean the Petition, in the 3d *Blue Book*, Appendix IV. It is also to be met with in most of the Periodical Publications for May 1789, though with a notice calculated to mislead the abovementioned.

is evidently an innuendo against the moral principles of foreign Catholics, and an insinuation that the doctrine of Catholics varies, on this important subject, in different countries. Now the words in Italics do not occur in the Protestation ; or, I can venture to say, that many of those names, which were the most successful in gaining other signatures, would never have appeared to it.

In the next paragraph, marked 1st, I find an important alteration in our Civil Creed, which I apprehend will not appear to all of your members, Gentlemen, in the same light that it does to me, I mean as an improvement. In the Protestation " his Majesty King George the Third" is said to be " the lawful King of this realm &c. by *authority of Parliament* :" the latter words in the Petition are changed into "*authority of the Legislature**." I need say no more than that the former expression is rank whiggism, the other genuine toryism. Whether my opinions are right or wrong in politics is nothing to the purpose, but certainly the alteration, which I point out, is most important as to the sense.

In the succeeding paragraph of the Petition, marked 2^{dly}, after the words, " punishment what-
" soever," the following long and interesting article in the Protestation is suppressed : " And we
" hold and insist, that the Catholic Church has no
" power that can, directly or indirectly, prejudice
" the rights of protestants, inasmuch as it is strictly
" confined to the refusing to them a participation

* This consists of the King as well as of the Parliament.

* in her sacraments and other religious privileges
 " of her communion ; which no church (as we con-
 " ceive) can be expected to give to those out of her
 " pale, and which no person out of her pale will,
 " we suppose, ever require."—This passage like
 the rest of the protestation is inaccurate and captious,
 but we having so far done justice to the rights of the
 church as to declare, in our original Protestation,
 that she has a power of her own to withhold the
 privileges of her communion, (for example, by ex-
 communication, interdict, &c.) it was unwarrantable,
 out of compliment to the civil power, which is known
 often to interfere in matters of this sort, to suppress
 that declaration, when addressing ourselves to it, and
 when we professed to deliver into its hands precisely
 what we had before declared and subscribed: Let
 those Gentlemen, whom we have heard describe,
 with so much eloquence and emphasis, speaking of
 this very instrument, the disgrace that would ensue
 from suppressing a single word it contained, reflect
 what was done on the above mentioned solemn occa-
 sion.—What signifies supporting your Protesta-
 tion in the Museum, if you abandoned it in Parlia-
 ment ?

There was no need of adding to the inaccuracy
 and embarrassment of that captious article in the
 Protestation, in which it is denied that " any eccl-
 " esastical power can absolve any of us from or dis-
 " pense with the obligations of any compact or oath
 " whatsoever." Yet this is done in the Petition,
 by foisting in the words "*previously or subsequently*,"
 before the word dispense.

Finally, in the paragraph of our Petition to Parliament marked 5thly, a most important enlargement of our Protestation is introduced. The Protestation has declared that "no breach of faith with any person whomsoever can ever be justified by reason of, or under pretence, that such person is an heretic or an infidel:" the Petition after the words "breach of faith with" foists in the following, "or injury to or hostility against."—Thus, to my judgment, am I, and indeed the whole catholic body, without consenting to it, pledged, in the face of the legislature, to condemn the wars of Charlemagne against the Saxons, the crusade against the infamous Albigenses, to reprobate, in part, the grounds of the present war, and still more evidently of those wars, which the people of God undertook, by his command, against the infidel nations with which they were surrounded.

I have one word more to say concerning the act, by which the signatures annexed to the present Protestation were lodged in the Museum (for the deed itself being a forgery, with that, of course, the Catholics have no manner of concern.) This act I apprehend to have been illegal, and am sure was informal. I have not yet inquired into the particulars concerning the presentation of the Petition with the annexed signatures to the Lords. But I find that upon its being presented to the Commons, by the Honorable Mr. Villiers, May the 7th, it was ordered *to be laid on the table*. Thus it became the property of the House, and a parliamentary record,

cord, to which, in fact, the members were frequently referred in the course of our subsequent debates. Now by what authority this deed was taken out of the House of Commons and the signatures sent to the British Museum, I have still to learn. But be that affair as it may, I shall always maintain, and have it in my power to prove, that the meeting at the Crown and Anchor Tavern, June 9, 1791, in which it was resolved to send the Protestation (supposed then to be genuine) with the signatures to the Museum, or to some other public library, was not a free meeting, that the proceedings of it were conducted by clamour, contrary to established rules, and of course, that they were informal and of no weight. To convince yourselves of this, look at the account of the said meeting, published on a large sheet, by the learned secretary, you will there read that a motion of thanks to the Noblemen and Gentlemen of the Catholic Committee having been made and seconded, an amendment to the same, viz. that the Vicars Apostolic should be included in the motion, was also made and seconded. But we are told that "the original motion was carried without the amendment." What then became of the amendment? Every man acquainted with the established rules for free debate would certainly conclude from hence that the amendment was negatived, because he knows that the original motion could not be put to the votes, until the amendment was disposed of. The fact however is, that the amendment, though most punctiliously brought forward, was never

ver proposed from the chair at all to the meeting, notwithstanding my warm representations to the respectable Gentleman that filled it on the irregularity of the proceeding, and a vociferous party of Gentlemen, by whom he was surrounded, persisted that the amendment ought not and should not be put to the voices. Will any one present on the occasion deny these facts? Or admitting them, will any person whomsoever call that a *free meeting* in which they took place? or consider as valid any of its decisions?—You will do me the justice, Gentlemen, to believe that it is not for the purpose of complaining at this distance of time of the personal injury that was then done to me, who had the honor to second the aforesaid amendment, but merely to illustrate the question on which you have called me forth, and to prove that neither the deed of Protestation if it were genuine, nor the list of signatures was ever voted, by the catholic body, into the Museum.

Thus then, Gentlemen, you have seen the successive changes of this diplomatic Proteus. You have seen that it was one thing when originally signed; another thing when presented to the House of Commons, a third thing, for aught we know, when given to the Lords*, a fourth thing when worked

* The forms of the two houses being different, the same identical petition could not have been presented to them both. But both being addressed by the petitioners in the name of the "Catholic Dissenters of England," the signatures must have been affixed to them both.

up into the form of an oath, and a fifth and distinct thing from all the rest when lodged in the Museum, which act itself was irregularly done.

Omnia transformat se se in miracula rerum.—Virg.

You have seen, in particular, that the shape, into which this pretended immutable instrument transformed itself, at its solemn promulgation in Parliament, was as unlike that which met our eyes when we signed it, as were the most opposite metamorphoses of the Carpathian monster. You have seen moreover that your signatures have been made use of to sanction all these different transformations; which circumstance accounts for the strange appearance, mentioned above, of the lists being punctured, at the head of it, with no fewer than thirty-three needle holes, besides those at present occupied by the thread which fastens it to the spurious Protestant. What Gentleman, after this, will fully a fair character by blending it with that of so degraded an instrument? What consistent catholic, after this, will hang down his head, when he hears the deed of Protestantation mentioned? Or blush when he is reproached that his hand-writing bears witness against him in the Museum?

The question is not, Gentlemen, as you well know, about defending or palliating any of those pernicious or dangerous errors, which are condemned in the Protestantation*: these are as effectually reprobated

* This inference is cautiously guarded against in that deed of
“ Assertions”

reprobated in our present Oath, as they were in the said Protestation; but only whether, in doing this, a plain and accurate, or a captious and ambiguous form of words ought to be adopted and adhered to? And that after the legislature has interfered in the dispute, and has decided in favor of the former? The genuine Protestation of Catholics then is the Oath prescribed to them in the late Act of Parliament, and their names subscribed to the same in the Courts of Justice, are the only signatures by which either their consciences or their honor is bound.

" Assertions and Explanations respecting the Protestation" which I referred to in my *Eccles. Democ.* p. 311. as having been signed by our present VV. AA. except one, who was not present on the occasion, and several of the most respectable clergy in the kingdom. In this deed the subscribers, having mentioned the different motives by which they were led to sign the Protestation, and particularly the declaration of many persons, to which they then gave credit, viz. that said instrument was not to be interpreted according to the strict theological import of certain terms therein contained, but as to its import and tendency in civil and social concerns only; having next expressed the reason they had to fear that the said instrument had been, was, and might be construed to the derogation of their religious belief, especially as (contrary to their earnest desire) it was said to be preserved in the Museum; having after this declared that, in the existing circumstances they felt it necessary, for the relief of their consciences, to retract the said Protestation, as inaccurate and faulty, as well in their own name, as in the names of those who had been led to sign it, by their example; they then proceed to disclaim any adherence to the doctrines, incompatible with civil and social duties, which are condemned in the same, and which they have equally abjured in the prescribed oath, and they conclude with expressing their conviction that a great majority of Catholics would follow their example, in signing the said retraction, if, from an apprehension of raising fresh disturbances in the body, they had not been withheld from circulating it amongst them.

The

The charm now is broken, by which so many respectable personages have been long fascinated. The *Magna Charta* of the Cisalpine Club is cancelled for ever. The boasted Protestation is proved not even to exist. Why then should a Cisalpine Club itself any longer exist, for the amazement of a protestant public and the scandal of our catholic brethren? The very name implies hostility to the chief head and to the clergy of your religion, who, if that religion be not a fable, instead of the hostility, are at all times, and now in particular, intitled to the respect, the gratitude, and the support of all its members. At the close of the 18th century to found an alarm against the power of the Pope and the Church (to use the words of a learned author) "is like crying out *fire, fire*, in the midst of the general deluge *.". I expect that those Gentlemen, who have found it necessary to form themselves into a *Cisalpine Club*, to restrain the encroachments of the meek, edifying and venerable Pius VI. will next constitute themselves an *Antibourbonic Club*, to curb the ambition of the *Grand Monarque*.

And as to that bugbear of being priest-ridden, at which, it is plain, so many weak minds are, even at the present day, so horribly scared †, look around you and say whether it is the misused influence of religion, or the contempt of all religion that is now

* Dr. Johnson.

† See 3d Blue Book, p. 14.

to be guarded against? If your clergy have struggled, on this side of the water, has it been for their privileges and emoluments? and not rather for the very vitals of our holy faith? If they have suffered on the other side, has it not been for the integrity both of their civil and their religious principles? What losses have they not endured in this double contest? Or rather, what is now left to them, except that unconquerable zeal for their holy religion, which proves them worthy to be its ministers, and that uncompromising orthodoxy, which secures you against being misled by them?

It is time, Gentlemen, to close that fatal breach, from which so much mischief has flowed in upon us, and from which so much more may be expected to flow, if it continues open. It is time to combine whatever authority, whatever influence, and whatever talents exist amongst us for the general benefit of our religion, which, at the present moment, severely suffers from the want of such union, for restoring those its essential aids, which have been carried away by the late impetuous and wide-wasting torrent of antichristianism, and, above all, for renewing, amongst us, that spirit of interior piety, without which zeal is faction, and beneficence is ostentation.

If resentment were excusable, when the pure doctrine of Christ has been the object of our contention, we might expect to find it amongst those revered few, who have been calumniated, in the face of the nation, "as inculcating principles hostile to society,

" society and government, &c.*" and amongst that conscientious many, who were on the point of being excluded from all the benefits of the late act. But our Bishops do not even remember this and the other late intemperate and irregular proceedings against them, except as abstract cases of conscience. Insensible of personal injuries, and only attentive to the welfare of their flock, they cease not to pray for that last legacy of Christ's peace to his disciples † in their behalf. Such have always been their dispositions, even in the most trying circumstances. And it is a most certain fact that if they have saved us once, by their firmness, they have saved us many times, by their moderation, from the horrors of a schism. With respect to the catholics at large, they are animated with a no less sincere desire of union. To obtain this they will sacrifice every thing, except the unchangeable faith of the Church. But, on the same principle, even to obtain this, they will never say that the late Protestation was, in those points to which it speaks, an accurate exposition of the catholic doctrine. Hence they cannot but heartily rejoice to hear that the said instrument is no more.

I have the honor to remain, &c.

John Milner.

Winchester, March 26, 1795.

* See *The Tremendous Protest*, 2d Blue Book, p. 30.

+ *St. John*, c. 14. v. 27.

P O S T S C R I P T.

The author has stated, at the beginning of the present work, how unwilling he has entered upon this task of self-defence, which the Cisalpines have imposed upon him. Hence it will not appear extraordinary, that he should have experienced more and more uneasiness, as the intended day of publication drew near. He has indeed cautiously avoided throwing the blame of the transactions, which he states, upon any individual or upon any set of men: still however, the facts themselves being fully proved, he is as sensible that the publication of the same must occasion pain and confusion in some quarter or another, which he is as far from wishing to any of his antagonists, as he is from wishing them to himself. A more important consideration has also been lately suggested to him. It is apprehended that the publication of the facts in question, might prove detrimental to the catholic interest, on any future application to the legislature. Hence, though the present work has been announced and actually promised to some distinguished members of both houses, to certain officers of the Museum and other great literary characters, the author has, at length, resolved to suppress the public sale and indiscriminate circulation of it: hoping that the ends, which he had in view in writing the same, may still be answered by the few copies which he purposed delivering to the Gentlemen of the Cisalpine Club, and to certain other Catholics of well-known fidelity and discretion.

Winchester, April 9.

A

PASTORAL CHARGE

ON THE

JURISDICTION

OF THE

CATHOLIC CHURCH;

ADDRESSED TO THE

CATHOLIC CLERGY OF THE
MIDLAND DISTRICT.

BY THE

R. R. DR. MILNER, B. C. V. A.

LONDON:

Printed and sold by KEATING, BROWN, and Co. 38, Duke Street, Grosvenor Square;
and also by BOOKER, 61, New Bond Street; RIDGWAY, Piccadilly; and
SHERWOOD, NEEDLY, and JONES, Paternoster Row.

1813.

БОРИС ГАРОТ?!

БОРИС ГАРОТ?

PASTORAL CHARGE,

8.c.

REVEREND AND BELOVED BRETHREN,

In my Instructions for the present Lent, which were sent to you previously to it, I informed you that I had "other matters" of spiritual import to communicate to you, "which I should take another opportunity of communicating." The first and the most pressing of these, is what regards *the Divine Jurisdiction of the Catholic Church*, concerning which it is necessary that some part, at least, of your respective flocks, should be duly instructed at the present critical time, when a Bill is in the course of being framed by a Committee of the House of Commons, that may not unlikely affect this jurisdiction in its most essential points, and when such great efforts are made by ignorant or wrong-principled writers to mislead your Flocks, as well as the Public and the Legislature, into practical as well as speculative schism.

The Divine Jurisdiction of the Catholic Church has, at all times since her foundation, been a subject of jealousy and opposition to worldly politicians, but never has been so violently attacked and oppressed as during the latter ages of pretended light, and especially within our own remembrance. This has been the case not less in Catholic than in un-Catholic countries. Separated as our country has long been from the source and communion of spiritual jurisdiction, the very idea of it seems to be lost here: our brethren of other communions lay no pretension to a regular and uninterrupted succession of that divine commission and authority which Christ conferred upon his apostles and their successors in the concluding text of St. Matthew xviii. 18, 19, 20. *All power is given to me in heaven and on earth. Going therefore teach all nations, baptizing them, &c. and, Behold I am with you all days, even to the consummation of the world.* They cannot comprehend how Christ should be *a King* and have *a kingdom* here below, and yet that the latter should *not be of this world*, though the Divine Founder of Christianity has declared both these things, and though he made that jealous representative of the Roman Emperor in Judæa, Pontius Pilate, clearly understand it. (See John xviii. 35.) This, however, is not surprising, from the circumstance I have mentioned; but what is truly a matter of surprise and grief to us is, that several, either real or professing Catholics, should entertain and propagate the danger-

ous error in question, and should lend their voluntary aid to interrupt or restrain the course of that divine mission, jurisdiction, and *real authority*, (though unconnected with this world) which is as essentially necessary to the existence of the Catholic Church, as is the truth of revelation itself.

The most violent and determined foe to the independent spiritual jurisdiction of that Church to which he once belonged, is the Rev. Dr. Charles O'Connor, once a Parish Priest in Ireland, now a domestic librarian on the borders of this Midland District(1). In the course of the last three years he

(1) This unfortunate Priest, who, fifteen years ago, was as respectable for his character, as for his family and talents, having been prevailed upon soon after, to quit the parish intrusted to him in Ireland, in order to become domestic Librarian to a nobleman in England, began to boast of having "divested himself of his Irish prejudices," and gave undeniable proof of the truth of this assertion, by calling in and buying up all the copies he could come at of the first volume of the *Life of his Grandfather, Charles O'Connor, Esq. of Belenagare*, a celebrated writer on the History and Religion of Ireland, and by suppressing the printed sheets of the 2d volume, written in the spirit and style of an Irish Catholic. This caused his Cousin-german, Dr. Hugh Mc. Dermot, to write of him as follows: "When Dr. O'Connor left Ireland, in 1799, he was a real Irishman, what he is at present I know not:—It would appear that he has exchanged his Irish prejudices for the Anglo-Irish politics of Stowe, and thus grafted a mongrel breed of mixed principles on the parent stock of Irish patriotism."—See *An Historical Letter to Dr. O'Connor, by Fr. Plowden, Esq.* pp. 33, 34. Dr. Mc. Dermot complains also, that "the best and most copious collection of Irish books and MSS. (those which had been collected by his Grandfather) should be sunk in the sepulchral library at Stowe." Ibid. Alluding to these transactions, in my Review of Dr. O'Connor's *Columbanus*, I spoke of "the sale of his politics and MSS." p. 83, meaning that he had given them up for the advantages of the above-mentioned situation.

has published more than twice that number of volumes, replete with heterodox, schismatical, and anarchical doctrines, in which he continu-

in England. Mr. Plowden, however, proves from the Doctor's own letters, that the late Marquis of Buckingham obtained possession of the Delelagare Library at a *great expense*, and that i.e., the Doctor, claimed a prior right to "the *originals*" of far the most interesting part of it, that "relating to the transactions of the (Irish) Catholic " Committee during a period of about 50 years." *Ibid.* pp. 29, 30. This acute writer also brings to light those intrigues of the Librarian for the Catholic Bishopric of Elphin, with which I had been long acquainted, see page 118, &c. Having been required by his Bishop, after more than a year's absence from his Parish, either to return to it, or formally to resign it, this assertor of the canons refused to do either, but appealed to the See of Rome to sanction his habitual absence from a cure which required constant attendance. Being cast in this suit with his Bishop, being also disappointed of the See of Elphin, as likewise his noble patron's favourite measures for amalgamating the Catholic Church of Ireland with his own system of religious politics, being defeated by the Resolutions of its Prelates in September 1808, and in February 1810, he began that outrageous schismatical attack which he has continued in the several numbers of his *Columbanus* and *Addresses*, upon the authority and personal character of those Prelates [with whom he had sought to be associated] and upon their predecessors, and all others the most respected and beloved characters of his native country, during the whole period of its religious persecution, as also upon all the Popes whom he had occasion to mention, together with a formal defence of all the scandalous excommunicated Priests of his country, and even of the most sanguinary persecutors of Catholics during that period. No wonder he should be panegyrized, as he was by the late Mr. Perceval, in his speeches, and by the "unkind Deserter," the present Bishop of Meath, in his *Letters to Mr. Canning and Lord Fingal*. In the end, having been interdicted, both in Ireland and England, from all sacerdotal functions, for his obstinate defence of his heretical, schismatical, and other censurable doctrines, he has chosen to incur the sentence of excommunication, and the stigma of irregularity also, by continuing to officiate in spite of it, though none but necessitous persons over whom he has a controul assist at his worship. Thus he has got into the situation of his hero, Peter Walsh. O! may he, like Peter Walsh, *do penance, and his former works.* (*Revel. ii. 5.*)

ally calls upon his countrymen to reduce to practice, and with the foulest scurrility and calumny against the successors of St. Peter, his native Prelates, and myself. Having in a former publication reviewed the three first numbers of his work called *Columbanus*, and a more detailed refutation of his schismatical system having been published by an eminent canonist, Couusellor Clinch, I shall content myself here with giving a very few extracts from the first number of the above-mentioned work. These shew the nature and extent of the democratical, or rather anarchical system, which he is desirous of substituting to the religion of St. Patrick.— Having declaimed against “*the Dominatio in Cleros*,” as he calls the Episcopal Government, which he says, “has denied employment to some clergymen and withdrawn faculties from others,” whom he attests to be “qualified for the highest stations “in the Church.” He calls upon his countrymen, “Not to be cajoled by the hypocritical canting “of men who would dispense thraldom to others, “and reserve independence for themselves, but, “in a national and free council, and in union “with the Bishops to reform themselves.” *Columbanus*, No. I. pp. 23, 24, 25. Here this anti-prelatic reformer attributes an authority to alter the existing discipline and laws of the Church [even as to giving and withholding sacerdotal powers] to the second order of the Clergy, to Abbots, monks, and to the laity themselves, [for he requires the presence of all these persons to con-

stitute "a free national council," p. 18.] In short, he says: "WE may finally establish "a National Church discipline, independent "of *Dominatio in Cleros*, on GENERAL "WILL." THIS is as much as to say: *We laity and clergy are resolved that the Divine jurisdiction and discipline of the Catholic Church shall be so and so constituted and administered in future, independently of you Bishops, who are the Episcopal Dominantes.* I must observe, however, that Dr. O'C. has not the merit of inventing this system of forming the constitution of Christ's Church, as we form a political society, or club; that is to say, according to our own will and convenience: since Hobbs and the Freethinkers of the 17th century advocated it long ago. I must add, that though the Reverend Reformer founds his constitution on *general will*, yet he would have it "supported, not by this will only, " nor by the inferior clergy only, but by a *reci-*
" procity of general affection, (words without a "meaning) and by what has a meaning, the "LAWS, which, he says, restrain the petulance "of human power, &c." p. 119. In short, he would have the whole spiritual jurisdiction of the Catholic Church, agreeably to the notions of his Patron, subject to municipal law; so that, if a Bishop should suspend a refractory Priest, like himself, for broaching schism, or for violating his vowed continence, an appeal should lie from him to the neighbouring Justice of Peace; who, it is an equal chance, may be the

minister of the Established Church. Hence he is ever calling for "the interference of the law," and the responsibility of the law;" and hence he repeatedly invokes "anti-fanatical statesmen" to interpose an ægis of defence between the liberties of Catholics and the usurpation of the *Maynooth imperium*, styled *the independent hierarchy of the Irish Church*," p. 9. Can Dr. Duigenan wish for a more concordant and zealous partizan than Dr. O'Conor?—Speaking of the appointment of Bishops, he prescribes to the Irish people the following schismatical plan: "The election of the Clergy, with the approbation of the Gentry and the confirmation of the Civil Power, is the only wise and CATHOLIC plan, that, in the present circumstances, can be adopted by the Irish People." He adds the following heretical, no less than schismatical dogma: "Neither the election of Bishops by the Pope, nor their confirmation by him after election, nor their nomination to any vacant see, nor the Pope's consent, nor even his knowledge of the appointment, is a necessary requisite to establish the validity of any of these acts." *Ibid.* pp. 79, 80.

Upon the publication of these and similar doctrines, in the first number of the work called *Columbanus*, dated March 16, 1810, I judged it to be so notoriously and scandalously erroneous, calumnious, schismatical, and even heretical, that I directed all the Clergy of my district, in the neighbourhood of the author's residence, not to

hold any communication with him in spiritual matters, without *a public retractation*, and though some respectable divines are said not to have been able, for two whole years, to "find any thing to take hold of," in these propositions, yet I think I can assert thus far, that there is now a perfect unanimity at least among the Catholic Prelates of the United Kingdom, that the system of Dr. O'Conor, as it appears in the extracts I have given above, from his *Columbanus*, is *schismatical*, and that the object of the whole work is to *excite a schism*. It would require a folio work to expose and refute all the pestilential errors here alluded to, together with the author's misrepresentations of history, his misquotations and wrong translations of other writers, and deliberate falsehoods and calumnious charges against living personages (1), contained in the

(1) If these pages should meet the eye of Dr. O'Conor, I request him to consider how far his present *honour*, as well as his future welfare, is implicated in such calumnies as the following, among hundreds of the same sort. "The Bishops have entered into a solemn compact, that they shall be allowed to bequeath their respective dioceses to whomsoever they please." Columb. No. I. p. 12.— "He who stems the tide of immorality is informed by the Bishop of Castabala, that the very title of a priest is a title of contempt." No. III. p. 37.— "The V. B. of Castabala dares to assert, that I (Dr. O'C.) stole my grandfather's MSS." The Address, p. 149.— To these express calumnies I must add the one implied in the following passage: "Those (blood-stained) days, I trust, shall not be restored by any Castabala or Gordon. No, vile hypocrites! you who are a disgrace to Christianity, lie down: spare yourselves, the shame of exciting us to new murders: lie down, &c. Hist. Addr. P. III. p. 223.— Yet this is the unfortunate man who ends his book with the following imprecation: "May that day be my last, when I will dare to injure any man's character by calumny." Ibid. p. 492.

different numbers of his *Columbanus* and *Addresses*. Nor is it necessary for me to undertake this task; as Counsellor Clinch, in his able and learned *Letters on Church Government*, which has merited the thanks of the Irish Prelacy, has detected and refuted a sufficient number of these to bring the whole voluminous collection of the writer into deserved disrepute among scholars, and to exhibit the writer himself as a literary empypic, who, by declamation and effrontery, imposes poisonous drugs, for salutary medicine, on an ignorant and unsuspecting populace.

Another professing Catholic, who is the declared foe of the independent jurisdiction of our Church, is Mr. J. J. Dillon, an acute lawyer; but who having received his education among Dissenters, as he boasts in one of his late publications, is found to be ignorant of the very first principles of the Catholic religion, and, by his obstinacy in adhering to his schismatical errors, does in fact unchurch himself. He is, as might be expected, the firm ally of the excommunicated Dr. O'Conor, and accordingly they pay each other the loftiest compliments in their respective publications (1). To say nothing of this gentleman's former works, in his late *Memoirs, addressed to the University of Oxford*, he

(1) See Mr. J. J. Dillon's praises bestowed on the work and the author of *Columbanus*, Two Mem. Append. p. x.—In return Dr. O'Conor says, “ no praise I can bestow on Mr. Dillon's *Two Memoirs* can add to its merit; but it is a duty I owe to my country “ to recommend that excellent work.” *Columbanus*, No. III. p. 138.

lays down his system of spiritual jurisdiction in the following terms: "The character or faculty, " of the ministry emanated from, and can be "conferred by the Church alone; and the "clergy, of whatever order, hold their abstract "spiritual functions solely under a *divine commission*, as successors of the Apostles; those "faculties not being of human institution!"—

This, it is, for men to dogmatize on subjects which they are ignorant of, and are too arrogant to be instructed in. Hence it is that this declared enemy of the clergy here gives them a great deal more than they are willing to accept of; for, you all know, my Brethren, that we only claim a *divine commission* in favour of the two highest, or, at most, of the three highest of the seven orders of our clergy, and that we acknowledge the rest of them to be of ecclesiastical *human institution*. You also know that we hold none but persons of the higher order of the priesthood, namely, Bishops, to be *successors of the Apostles*.—Our theological layman proceeds thus: "But, though the state enjoys "not the power of conferring the abstract faculty of divine ministers, *it is invested with a right of declaring by what persons, in what places, and under what qualifications that spiritual authority, which it cannot confer, shall actually be exercised within its dominions.*" Two Memoirs, &c. pp. 41, 42. Hence we learn from this Barrister theologian, that it belongs to the

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Justice of Peace, or other public functionary, to choose, not only among persons of the same order, but among *the whole clergy, of whatever order, which person* shall be *Bishop* or *Priest* of a vacant place. Hence the Justice may appoint a Subdeacon to exercise the office of a Bishop, and an acolyte to exercise that of a Parish Priest.

— Again, according to the system of J. J. Dillon, it belongs to the magistrate to determine *the places* in which these respective powers shall be exercised, which implies a right in him to make a new circumscription of dioceses and of parishes; and, of course, to confer or take away spiritual jurisdiction with respect to any limited or unlimited number of the faithful. Lastly, by the right of determining the *qualifications* under which “spiritual authority shall be exercised,” Mr. J. J. Dillon confers on the magistrate an absolute controul over this spiritual authority in every respect whatever. It is, however, less surprising that our Barrister should attribute to the state a right of absolute controul over Catholic jurisdiction and discipline [a controul which he and his ally, the above mentioned Doctor, are constantly egging on the legislature to exercise, independently of our consent] when he, this schismatical layman, lays claim to so considerable a portion of this jurisdiction for himself, in the following, among other congenial passages: “*I* (J. J. D.) have never felt any objection to *invest the Crown with an effectual*

"negative upon the appointment of Catholic Bishops." Letter to Mr. Canning, p. 3. (1)

(1) Two whole pages of this quarto Letter are employed in invectives against the present writer. He charges me with being the greatest enemy of the Emancipation, with having been so ever since 1804; he ascribes to me what he calls "the temper of Ireland, and the discrepancy of opinion respecting the positions in his Memoirs." He says, "By Dr. Milner were the difficulties (about the *Veto*, &c.) first started, promoted and encouraged: by Dr. M. have they been supported and maintained: I challenge him to deny the assertion. I charge him, that he wrote to Rome to infuse jealousy into the minds of its Cardinals, &c. I charge him that, imposing on the Court of Rome, he obtained a letter from Cardinal Borgia, dissuading the Bishops of Ireland from acceding to the arrangement; and I call upon him to produce and verify the nature of his correspondence, &c.—Those to whom I am known will give me credit for not advancing points without mature consideration." Letter to Mr. Canning, pp. 7, 8.

—I have elsewhere stated, that this lawyer's charges form what is called a *fishing bill*, and that I will not gratify his curiosity till his friend in Parliament shall require me to do so in that *Secret Committee* which he is incessantly calling for. In the mean time, I will confidently assert, that neither the learned Gentleman, nor any of his friends, has more zealously, more disinterestedly, or more effectually promoted the emancipation of the Catholic laity, than I have done ever since its proposal in 1800. True it is, I have refused to sacrifice religion itself for civil advantages; and it is also true; that I exhibited the consequences attending the *effectual Veto*, as the Gentleman himself and Dr. O'Conor have detailed them from the lips of illustrious personages, its avowed patrons. Still I trust that the *Veto* and Emancipation are not inseparable companions. With respect to the temper of Ireland, it is notorious that I advocated a certain *restricted species of Veto*, and was burnt in effigy for so doing, at the very time when my revered friends, the Irish Prelates, resolved not to admit of any change in the established discipline whatsoever. As to my alledged correspondence with certain Cardinals, and my obtaining a letter from one of them, dissuading the Bishops of Ireland from agreeing to the *Veto*, &c. I aver it is a tissue of falsehood.—In the last pamphlet of this Writer, dated Feb. 6, entitled, *Cursory Suggestions*, p. 32, he concedes so far to the English VV. A. as to recommend "concerting with those (he says) who

I pass by several other writers on this subject, belonging to *our body*, in order to take notice of the public speeches and letters of an Honourable Personage, Sir John C. Hippisley, to whom many Catholics are indebted for signal benefits, and to whom I myself am indebted for much civility; being already a member of the open Parliamentary Committee, and likely soon to become a member of the secret Committee for preparing the Bill on our concerns, and he having, again and again, pledged himself to vote against it, unless it is modelled upon his own preconcerted plan, (the Hon. Baronet has frequently been called upon to produce any authentic document that the Church has acknowledged any right or privilege in the sovereigns of *Prussia* to nominate to the Catholic Sees of *Silesia* in their dominions, though richly endowed; or to name a Bishop of Quebec who has been presented by the English crown,) what then have we not to expect should he draw over a majority of his Honourable Colleagues to adopt his sentiments? In this case we must prepare ourselves for persecution instead of relief. This plan,

" possess our confidence, and who wish not to subject us to the
 " extravagant dominion of an Hibernian Hierarchy;" and he expresses an apprehension lest "the doors of the House of Commons
 " should be open to (Catholic) Chaplains, with the R. Rev. Dr. Mil-
 " ner, &c." To allay these fears of the expectant barrister, I may state to him, that as our sacred Orders are admitted both by the Legislature and the Established Church, I apprehend the Catholic Clergy are already excluded from St. Stephen's Chapel, according to the resolution in the case of the Rev. Horne Tooke. But if this should not be the case, I earnestly wish that Dr. M. and all other Catholic Clergymen, may for ever be excluded from entering that particular chapel, provided it be done by an enactment, and not by an exercise of the *Veto*.

as he has repeatedly printed and published it, or at least the most material part of it, consists in the legislative enactment of an *unrestricted Veto on the appointment of Catholic Bishops*, both as to the *number of times* and the *motive of its exercise*, and in the establishment of a new *Crown Office, to revise and suppress, or sanction each part of that necessary correspondence*, which the Prelates of the Catholic Church all over the world ever have kept and must keep up with their fellow Bishops, and especially with the Chief Bishop, on a variety of spiritual concerns. We may well suppose that the person intended to fill this new office of *Ministre de Culte*, must be some public character, distinguished for his knowledge of the Catholic doctrine, hierarchy, and discipline.

Upon what motive, now, does the Hon. Baronet ground his stern demand of this *Veto*, and this *Inquisition*? Is it for the sake of conciliating Irish Catholics and tranquillizing the empire? So far from this, he admits, that he has incurred the hatred of the Irish Catholics, and has experienced the coolness of the English Catholics by insisting on these measures (1). But instead of consulting their wishes or feelings, he tauntingly tells them, that "If he has not their praise, he is determined "to deserve it." (2)

Does the Baronet alledge, that disloyal or seditious men have been promoted to the Catholic Bishoprics in Ireland? No, on every occasion

(1) Substance of a Speech of Sir J. Hippisley, April 24, 1812,
p. 40.

(2) Ibid. p. 23.

he has to speak of them, collectively or individually, he bears ample testimony to their civil and social, as well as Christian principles and conduct. To judge from his testimony, it would be impossible to find subjects more worthy of the prelacy than they are? On the other hand, does he pretend that either they, or any of them, or either of the two Popes, or any one of the Cardinals with whom he has been personally acquainted, or has confidentially corresponded, has ever once devised or promoted a plot or attempt to overturn or disturb the established constitution, either in Church or State? So far from this, he publishes numerous letters and other documents, written by Popes and Cardinals, and by our native Catholic Bishops, of quite the opposite tendency (1). But without looking into these, we may be quite sure, if any such plots had been hatched, either at Rome or in Ireland during the last quarter of a century; that a person of the Baronet's peculiar talent, with the facilities he has enjoyed, would have discovered it, and that a subject of his eminent loyalty would have denounced it to his Majesty's Government.

Instead, then, of shewing any existing necessity for the grinding conditions, which he resolves upon tacking to Catholic Emancipation, or any utility resulting from them, he flies off to abstract and those false principles.

He lays it down as a fundamental maxim,

(1) Substance of a Speech of Sir J. Hippisley, 1810, Appendix.

which he frequently repeats in one shape or another, "that *the supreme civil power in every state has a right of controul over the appointment and the concerns of persons possessing great religious influence, like Bishops* ; and he quotes, from the Swiss Jansenist Vatel, that "*The Clergy, as well as every other order, ought to submit in their functions, and in every thing else, to the public power (1).*" What, I ask, will our brethren of the national Kirk of Scotland say to this principle ? Nay, what will every dissenting class, of whatever denomination in this free kingdom, say to it ? Do they, will they permit the supreme civil power to controul the appointment or the functions of their ministers ? Now it would be an insult, to ask whether these ministers have great influence over their respective flocks or not.—Again, did the Divine Founder of Christianity consult with Pontius Pilate or King Herod before he chose his Apostles, or before he sent them to exert a wonderful influence over mankind, by teaching them the Christian faith ? Were the Pagan Emperors and persecutors, a Nero, a Decius, and a Dioclesian, possessed of a right of *Veto*, or of any other right of interfering in the concerns of the Christian Religion, during the golden ages of its birth and progress ? Besides this, if *influence* gives a right of controul to the civil power over those who possess it, since it is evident that riches and rank have more influence over mankind than religion has, it will follow that

the Crown ought to have the power of a *Veto* on the descent of estates and titles.

The Hon. Baronet says, that our Catholic ancestors formerly established similar barriers against the encroachment and abuse of the Papal and other ecclesiastical powers, to those which he is resolved on establishing at present, and he maintains, that all the Catholic states of Europe have adopted the same sort of barriers. Hence he instructs us Irish and English Catholics, that we need not be under any apprehensions for the integrity of our religion, since he proposes nothing but what is perfectly consistent with it (1). To this we answer, first, that supposing we Irish and English Catholics choose to have a species of Catholicity of our own, one more analogous to the present freedom of our constitution, and to the religious liberty enjoyed by all other dissidents from the Established Church, how can this concern the Hon. Baronet, provided we are what he constantly maintains we are, good and loyal subjects, and strictly tenacious of our oath, which declares, that "No foreign Prelate, " Prince, or Potentate, hath or ought to have "any temporal or civil jurisdiction, directly or "indirectly, within this realm?" I answer, 2dly, With respect to the statutes of *provisors* and *præmunire*, that these were devised and operated merely to prevent the Court of Rome from bestowing the *temporal fiefs*, annexed to Bishoprics, on foreigners, and for keeping up the established discipline of the English Catholic

(1) Letters to Lord Fingal. Speech of 1812.

Church(1). They neither did nor could operate to prevent the Chief Pastor from conferring that mere Spiritual Jurisdiction in which Episcopacy precisely consists, or from determining other spiritual matters referred to him. In proof of the first point, we need but glance at the Registers of Confirmation of the several Archbishops of Canterbury, from St. Augustin down to Cranmer, in Richardson's *Commentarius Præsumum*, or Wharton's *Anglia Sacra*. In proof of the second, we have but to look into any printed account of the steps which Henry VIII. himself took at the Pope's Court to get divorced from Catharine of Arragon.—The same may be said, in a great measure, of the discipline of late ages in Catholic countries. The Sovereign presents to the Bishoprics in his dominions, as representative of the Clergy and People, who ought to bear testimony to the merits of their future Pastors, and as the representative also of the founders of the temporalities belonging to such Bishoprics; *not*, however, by an *inherent right*, but merely by virtue of a *Concordatum*, or agreement with the Church(2). Now none of these instances come home to the case of Irish Catholic Bishops, or English Vicars Apostolic. We have no fiefs, estates, or other endowments annexed to our spiritual charges: on the other hand, it is

(1) See Preamble to 25 Edw. III.

(2) Fleury, in his Treatise on the Liberties of the Gallican Church, acknowledges thus: "La nomination du Roi n'a autre fondement que la concession du Pape, autorisée du consentement tacite de toute l'Eglise." Opusc. p. 81.

impossible that a King, who must be a Protestant, should represent a Catholic Flock, or bear testimony to the orthodoxy of its Catholic Pastors.—As to various acts of intolerance and oppression enacted or exercised of late years by Jansenistical or Deistical Princes, Ministers, or Parliaments, which the Baronet recommends to the adoption of his Honourable Colleagues against his former clients the Catholics (merely it should seem to furnish business for the proposed new office) he might with as much reason and humanity, propose the adoption here of *Lettres de Cachet* and the *Inquisition* itself. In France, under Louis XIV. the liberty of the Gallican Church, as Fleury complains, had become its servitude (1). Under his successor this servitude grew to be still more intolerable, till, at length, unbelieving magistrates refused to let the pastors of the Church proclaim its own doctrines, and sent files of soldiers to drive reluctant priests, at the point of the bayonet, with the sacred Host in their hands to administer the holy sacrament to obstinate Jansenists. We all remember the irreligious caprices of another favourite of the Baronet, the Emperor Joseph II. which drove a faithful, no less than a religious people, into open revolt, and gave a beginning to the first disturbances on the continent. These, as well as the other instances of irreligious oppression, which Sir John regularly details in all his speeches and Letters, if properly stated, would make

(1) Opuscles, pp. 89. 97, &c.

against his argument rather than for it—To what purpose does the Baronet print, at full length, again and again, the edict of Catharine II. by which she pretends to erect Mohilow into a *Catholic Archbishopric*, investing it with *actual jurisdiction* over other Churches, and *appointing*, by her own supposed authority, its *Archbishop*, &c. As well might he cite the Bull of Adrian IV. and the act of Pandulph, to prove that the Pope has a right to dispose of Ireland and England. The Hon. Amateur of our theology has to learn that propositions, properly drawn and affirming the validity of the acts he here refers to, would be *schismatical* and even *heretical*. To make short of the matter, the Baronet, after all his indefatigable researches, has been unable to find a single *Concordatum*, or other authentic deed of the Catholic Church, or of the Chief Pastor, by which any un-Catholic Prince or Princess, avowedly such, whether in Prussia or in Russia, or in any other part of the world, has at any time been vested with, or acknowledged to have the power of appointing, nominating, or recommending any Catholic Bishop, or other depositary of spiritual jurisdiction. Still I grant the Church is and must be anxious, that her Prelates should not only be faithful, but also, as far as may be, acceptable to their temporal sovereigns, and, to ascertain the latter point, she may listen to their suggestions, though they should not be of her communion, especially if they do not offensively protest against her, but she never did, and never can con-

fer a right or privilege on any professed un-Catholic person to take part in the appointment of her Prelates.

It is here to be observed, that the Hon. Baronet, in publishing his Speeches, and his late *Letters to Lord Fingal*, is not suggesting to Parliament what it may enact in the *plenitude of its power* concerning these matters, but what they may enact, *consistently with the tenets and discipline of the Catholic Church*. On the former point he protests against the least attention being paid to our opinions or our wishes. Such is his spirit of conciliation ! "I should much regret," he says, "to find a legislative question to be *influenced by* "the assent or negative of the R. Catholic Prelates." Letters to L. F. p. 33. On the latter point he disputes the decision of those Prelates in their Synod of Nov. 18. last, as to "the integrity "of the R. Catholic religion, and its being in- "jured by the proposed measures," p. 3. as also their Declaration of the same date, as to their being "incompetent to propose or agree to any "changes in the established mode of appointing "Bishops." Ibid. p. 57. In opposition to their decisions, the Baronet maintains that "No Con- "cordat with Rome, under the circumstances sug- "gested, is necessary, on Catholic principles," p. 92.—That "the Sovereign Power of the State "is the source from which the legitimacy of dis- "ciplinary regulation in this instance is derived "to the ecclesiastical body :—that a devolution "of the spiritual authority *in extenso*, to the

" national Prelacy, sanctioned by the declaration,
 " or tacit consent of the supreme magistrate, will
 " be found to have occurred at various periods
 " and on various occasions, &c." p. 60. He ex-
 tends this power even to "the total abolition of
 " the Pontifical authority," p. 63. and he teaches
 us that "when such matters of human institu-
 " tion (as he terms them) whether ecclesiastical
 " or civil, become the subjects of state regulations,
 " those who are disposed to resist them must be
 " reminded of the Gospel injunction; *to submit to*
 " *every ordinance of men for the Lord's sake,*" p. 61.

The only answer I shall give to this theological lecture of the Hon. Baronet on the integrity of our religion, addressed to us, its prelates is, 1st, that such a lecture comes with a very bad grace from a layman, who is in the habit of swearing that our religion is *idolatrous*; 2dly, that we prelates are resolved to give our lives rather than our assent to it, or to any part of it; 3dly, that, if the Hon. Baronet is capable of lecturing us in this style at present, we have just reason to tremble at the idea of a *Ministre de Culte*, particularly in case the Hon. Baronet should be appointed this *Ministre*.

But the Hon. Baronet maintains that we Prelates have already subscribed to his principles, and "must marshal ourselves on his side, whe-
 " ther we will or not;" the Irish Bishops by the resolutions of ten of them, in 1799, and I, by my *Letter to a Parish Priest*, in 1808.—Not to mention that both the papers in question were

confidentially communicated subsequent to the debate at the end of May in that year, and treacherously published, I maintain that by neither of them did we mean to subscribe, nor did we actually subscribe to the Baronet's theological principles or printed sketch of regulations. On the contrary, the ten Irish Prelates began by establishing the principle, that the negative in question was barely to be exercised to ascertain the loyalty of episcopal candidates, they stipulated for their just influence, or controul, over the whole business in conclusion for the Pope's *Concordat*. My project, as contained in the above mentioned Letter and my other printed papers, mentions the necessary checks on the civil powers still more expressly, requiring, among other things, that the exercise of the proposed negative should be confined to *three times*, and that each time it should be accompanied with a distinct impeachment of the candidate's loyalty. In the end the parties concerned found that they had misunderstood each other, as is often the case in other human transactions, and the negotiation ended without impeachment of either party's honour, or dereliction of principles.— The Hon. Baronet objects that our mutual friend, Dr. Troy, approved of his intended speech in 1805, which contains his present system, and that I wrote a pamphlet in defence of it. True it is that we, in common with all other Catholics, thought ourselves under great obligations to Sir John C. Hippisley, and to our other

distinguished advocates in parliament on that occasion, and of course we circulated their speeches, when published. In addition to this, I wrote an elaborate vindication of certain parts of Sir John C. Hippisley's speech, as to the meanings of the Councils of Lateran, &c. which had been misrepresented by Dr. Duigenan, or some other writer, in the *Antijacobin Review*; but God forbid that I, or my episcopal brethren, should bind ourselves to the terms, or to the *whole substance* of any defence which the Baronet, or any of our other Protestant friends, has or may set up for us. Perhaps Dr. Troy, &c. did not at the first perusal notice the passages in question; thus much I can testify, that when an Irish edition of the speech seemed on the point of taking place, he wrote to me that he "could not be a party to it on account of those passages." With respect to myself, the Hon. Baronet knows well, and has often testified, that, from the very first mention, on May 26, 1808, of an *unrestricted Veto* (such as is contained in his printed *Sketch*), I protested, in the strongest terms, against it, and declared I would rather give my blood than my consent to it.

In conclusion, the Hon. Baronet is driven into the region of possibilities to support his oppressive arrangements. What he says is, that, as matters now stand, *it is possible* the Pope may appoint *an alien*, or *a disloyal man*, to be a Catholic Bishop; and he mentions an alledged alien, the Rev. Dr. Fehan, who, he says, was sent upon

a commission, which, however, he admits to have been, "a very innocent one," into Connaught, in 1795: he mentions also the *proposal* of Mons. Erskine's going from London into Ireland in the same year. He adds, that dangerous intrigues and plots against the peace and safety of the realm, *may be carried on* in the correspondence of Catholics with the Pope, and other foreigners of our communion; hence he infers that "no letters coming from foreign jurisdictions, though only in spirituals, should be executed without a ratification of our Court." Let. to L. F. p. 8.—To the first of the future contingents, as to aliens, I answer, that as the law stands, no alien can come into the United Kingdom, or remain there, without the consent of his Majesty's government; of course there can be no *alien Bishop*. As to Dr. Fehan, he was as much a native Irishman as Dr. Egan himself was, and if he was termed by the latter an alien, it was merely because he was not an inhabitant of the province of Connaught. 2dly, Who and what Cardinal Erskine was, and by whose means, and for what purpose, he was "sent with private credentials from Rome to London," the Hon. Baronet himself can give the best account, and he has already partly given it, in his published speech of 1810, pp. 117, 118; so far at least, as suffices to prove, that a perfectly innocent, and even meritorious correspondence between Rome and Britain may be carried on without the intervention of a *Ministre de Culte*. With respect to

the *metaphysical possibility* of a disloyal subject being appointed to a Catholic Prelacy, I apprehend that the Hon. Baronet cannot possibly fence against, even though he were to give *la feuille des Benefices Catholiques* to my old friend, [who borrows the motto of his charge from one of my Pastorals]. the Right Rev. B. of Gloucester; [especially since the latter may privately conform to the Catholic Religion, as two of his predecessors, Bishop Cheyney and Bishop Goodman, did.] But by means of the checks on the Pope's authority, which, with the approbation of my brethren in Ireland, I shall propose below, I affirm that such a thing as a disloyal Catholic Bishop will be *morally impossible*. — In like manner I grant it is *absolutely possible* that the Catholic Bishops, notwithstanding their tried loyalty, which the Baronet so honourably attests and records, may mix up in their correspondence with the Pope and other foreign Prelates, on doctrine and spiritual faculties, and other matters of a temporal nature, affecting the peace of the realm and the safety of the constitution; but *may not* the Moravian Bishops of this country, in their intercourse with their episcopal colleagues in Moravia; *may not* the Quakers, in their circular letters to and from America; *may not* the Jews, in their dealings with the Hebrews of Holland; *may not* the Freemasons, in their affiliations with alien lodges; *may not* the merchants, in their bills of invoice about wine and oil, and Roman fiddle strings; nay, *may not* Hon. Members of the le-

gislature, in their credited or unaccredited negotiations with foreign Prelates and Ministers, such as swell the appendixes of Sir John Hippisley's speeches; *may not* all these persons, I say, make their foreign correspondence a vehicle of treason as easily as Catholic Priests and Prelates, if they are disposed to do so? And must now all this epistolary mass be revised and examined by the new Minister before the letters can be delivered. Let the Minister be who he may, he will require numerous clerks, &c. and be entitled to a very large salary.

Had I not been willing to give the Hon. Baronet's arguments fair play, I might have made short with them, by proving that his projected civil controul over the transmission and exercise of our spiritual jurisdiction, *where this is not accompanied with temporalities*, as is the case with us, is absolutely *impracticable*. Indeed he seems rather sensible of this himself, and therefore always publishes his scheme as "A Sketch of proposed Regulations, concurrent with the establishment of a *State Provision* for the Roman Catholic Clergy of Ireland. — In fact, what is an Irish or English Catholic Bishop, unendowed and unsupported by the state? He is a clergyman who has received episcopal consecration from another Bishop, by which he is enabled to consecrate, ordain, and confirm whom he pleases, and who also has derived from Christ, through the Chief Pastor, an authority to instruct, direct and govern in their spiritual concerns, a certain

portion of the great body of the Catholic faithful. Now by what kind of regulations can the Baronet prevent a private administration of the sacrament of order more than that of penance; or the transmission of that spiritual jurisdiction, which, as I have said on a former occasion, can no more be torn away or handled than a beam of the sun can? It is precisely this spiritual power over a diocese which the Baronet is desirous of controulling. But is he ignorant that it may be communicated; not only by the pen; but also by word of mouth, by sign or by signal? The Prelate possessing it may delegate the whole or any part of it to one Vicar to-day; to another to-morrow; and to a third the next day. I own I should be curious to learn how the Hon. Baronet, with all his knowledge of Catholic theology and canon law, would propose to regulate these intricate and subtle matters, in the Secret Committee which he is incessantly calling for.

In conclusion, my Rev. Brethren, while you instill into your respective flocks, the purest and warmest sentiments of loyalty to our King and country, and of brotherly affection to all our fellow subjects, of whatever communion; and, while you aid them with your talents and influence in the recovery of their civil rights; take care to guard them against the pernicious errors of professing Catholics, or friends of Catholics, such as are here pointed out; since the adoption of these might make them purchase temporal benefits at the price at which Catholics might always have

purchased them, namely, the price of their religion. Imprint deeply on their minds that the spiritual authority and jurisdiction, which essentially constitute a Bishop, neither can, nor ever could be given or taken away, or controll'd by any earthly power whatsoever, being a divine commission, which is derived from Christ, through the confirmation or institution, as it is now called, of the Chief Pastor. (1) With respect to themselves, admonish them in the words of the sublime Bossuet:

" You are a spiritual kingdom, and Christ is your King: now as he is not your King by virtue of your election, so you have *no natural right* to choose his ministers, who are your Pastors."

—Variat. Book xv. 220. Explain to them how the privilege of bearing testimony to the merits of episcopal candidates, which, in different times and places, has been called *election*, *postulation*,

(1) This has been defined by the Council of Trent, and therefore, in the actual discipline of the Church is an article of Catholic faith, " Romanus Pontifex, ex munere sui officio; Pastores singulis Ecclesiis præficit." Trid. Sess. 24. cap. 1. De Ref. The late Pope Pius VI. quoting this decision, in his memorable Brief of April 13, 1791, says: " Hæc porro jurisdictionis conferendæ potestas, ex novâ disciplinâ à pluribus sæculis jani recepta, à Generalibus Conciliorum et ab ipsis Concordatis confirmata, ne ad Metropolitanos quidem potest ullo modo attinere; utpote quæ illuc reversa unde diocesis serat, unice residet penes Apostolicam Sedem." In fact, the great Patriarchates of Asia at Antioch, and of Africa at Alexandria, were formed by and received their jurisdiction from St. Peter, as did the Metropolitical Sees of Arles, &c. in France, Canterbury in England, Armagh in Ireland, which during some ages confirmed their suffragans from the successors of St. Peter. It will be inferred from hence that the Pope may absolutely delegate a part of his power now as he has heretofore done; still the Archbishop must hold from the Pope.

presentation, and nomination, has been granted by the Church (to whose controul this must ever be subject) first, to the clergy and people indiscriminately, next, to the clergy exclusively, (1) then to the cathedral clergy, and, last of all, in most Catholic countries, to their respective sovereigns, as the representative of both the clergy and people, and likewise as the founders and patrons of the temporalities of the several Sees. With a clear conception of those undeniable Catholic principles, and with upright and religious hearts, it will be impossible for your flocks to go astray, either in belief or in practice, on this matter among all the bye paths now pointed out to them, by unauthorized guides.

It seems strange that in granting emancipation to the Catholic laity, our statesmen should look to us clergy for a *security* that the former shall not make a wrong use of it ! Yet, as such is the case, and as we are at all times disposed to make every sacrifice, except that of the integrity and security of our religion, not only to the welfare, but also to the prejudices of our fellow-subjects, in case the Legislature will be satisfied, on this occasion, with *the same kind of security* with which it has always hitherto been satisfied on the like occasions, namely, in 1774, and again

(1) Thomassinus, De Marca, Van Espen, Fleury, &c. invincibly prove that the Metropolitans and Bishops in ancient times presided in and had a controuling power over the choice both of the clergy and the people. The Second General Council of Nice, absolutely prohibited the interference of the laity of whatever rank in Episcopal elections.

in 1778, and a third time in 1791, when we were allowed the free exercise of our religion; and lastly in 1793, when the Irish Catholics were admitted to political power and the elective franchise; I mean by a *new form of oath*, calculated to obviate the particular objections raised at the respective periods against the proposed relief. I am prepared to suggest one of this nature at present, the several clauses of which have either been formerly sworn to by my brother Prelates in Ireland, or have been very lately sanctioned by the most dignified among them, viz.

“I N. N. do swear that I do profess the Roman Catholic Religion,” with the rest of the last Irish Oath, that of 1793, commonly called *Dr. Duigenan’s Oath*, down to the words, inclusively, “I solemnly abjure any intention to subvert the present Church Establishment”—after which add: “And I do swear that I will not, by secret fraud or open force, seek to set aside or alter the lawful Succession to the Crown of this realm, as it is limited by Act of Parliament to the Heirs of the Body of the Princess Sophia, Electress of Hanover, being Protestants; or to overthrow or disturb the present Church Establishment of this United Kingdom: and I do swear that I will make known to his Majesty’s Government all attempts, plots, or conspiracies, whether at home or abroad, which shall come to my knowledge, for effecting these or any of these purposes.—And I do swear, that I will not

" concur in, or consent to the consecration or
 " appointment of any Bishop or Vicar Apostolic
 " of the R. Catholic Church in this United
 " Kingdom, but of such as I shall conscienti-
 " ously deem to be of unimpeachable loyalty
 " and peaceable conduct—So help me God."

As the question is about a security for the Crown and the Establishment in Church and State, to be given by the Catholic Bishops and dignified Clergy, who does not see that the one offered in the above form of oath is much more effectual than that proposed by the Hon. Baronet, (in case it either would or could be observed) or, indeed, than any other which has yet been mentioned since the subject of Emancipation has been agitated? I need not tell you, my Brethren, how sacred, in our consciences, is the obligation of an oath. But our well known strictness in examining the terms of our oaths before we take them, and our heroic fidelity in observing them afterwards, must, and does convince every upright fellow subject, of whatever denomination, of the same. The Hon. Baronet's testimony to the precise point in question, is too precious to be passed over. He says: "It is admitted that no higher security can be given by any individual, than the oaths of Catholic Prelates." Sir J. C. Hippisley's Substance of Speech in 1810, pp. 33, 34.—Well, then, if such credit is to be given to the oaths of Catholic Prelates (and I presume the same will equally be given to the oaths of our Deans and Chapters) there will be in the present

supposition associated and sworn most of the leading Catholic Clergy of both islands, to the number of several hundreds, in the exercise of the *Veto*, for all the beneficial consequences of it towards our King and Country. The Bishops, Deans, and Chapters, will not be free to postulate for or choose (for *these sworn subjects* of his Majesty are *the real electors*, and all our ecclesiastical electors are, at present, *de facto, DOMESTIC*) any person for a vacant Catholic Bishopric but those whom *they know* (and they are the only persons who do or can properly know each others conduct and dispositions) to be *good citizens* and *good subjects*. On the other hand, if it were possible under these circumstances, that a *subject* of a different character (for as to *aliens*, as I have before observed, they are already excluded by the Alien Act) should be instituted by the Pope, none of the other Bishops would be free to consecrate him, or associate with him. Nor is this all: for by the tenor of the above oath, the state would have a very powerful check, not only upon disloyalty at home, but also upon all mischief that might be brewing in foreign countries.

DEAR AND REVEREND BRETHREN, I have thought it necessary to address you at present on subjects and in a style different from those of my former Letters to you, though my object is still the same, the safety and observance of that **HOLY CATHOLIC RELIGION**, to which all our comfort in this world and all our

hopes in the next are attached.—*Grace be with
you.* or *Abusci dñe v. J. MILNER,*
Bishop of Castabala; Vic. Ap.
Wolverhampton, March 24, 1813.

I KEEPTHE OCCASION AND PLACE
IS SOONER AS I WOULD HAVE BEEN
TAKEN UP IN THE CLOTHES WHICH
I AM GOING TO GET, AND SO I
WILL NOT BE DISTRACTED BY IT.

[NOT PUBLISHED.]

A PASTORAL CHARGE,

ADDRESSED TO

THE CATHOLIC CLERGY
OF THE
MIDLAND DISTRICT.

PART II.

On the Doctrine of the Catholic Church.

REVEREND AND BELOVED BRETHREN,

THE name of BISHOP implies *circumspection*, and the emblem of a *Shepherd*, which the Church, at our consecration, puts into our hands, is intended by her to remind us of the watchfulness, with which we ought to guard, and the courage, with which we ought to defend the mystical flock, entrusted to us, from the infernal wolves who *come to scatter and destroy*. John x. 12. Hence our Holy Mother gives us, Pastors, the following awful admonitions: "Non admittitur excusatio, si lupus comedit oves" "et Pastor nescit." *Trid. Sess. vi. c. 1. De Reform.* "Non est magna differentia an lethum inferas an admittas." *Decret. 82. qu. 3.*

Before the date of this you will have received the *First Part* of the present *Pastoral Charge*, relating to the JURISDICTION of the Church; which jurisdiction, at this period of boasted *Catholic Emancipation*, is in great danger of being overwhelmed and oppressed by different projected enactments of the Legislature. As this danger arises from the passions of some, the weakness of others and the ignorance of a third class, belonging to each communion, it is evidently the duty of a person in my station to remove at

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(*J. Smart, Printer, Wolverhampton.*)

least the latter cause as far as it is in his power to do so. With this view I have given what publicity I could to the abovementioned first part of my Charge. But there are not the same reasons for publishing the two remaining parts of it. On the contrary, it seems that their object may be best answered by sending copies of them to you, Dear Brethren, the coadjutors of my ministry, and to a few other distinguished Catholics, especially those of the Episcopal Order. At present, as I have intimated, my business is to defend the *Doctrine* of the Catholic Church. Far be it, however, from me, to hold the same language or form the same judgment, of the writers and other persons whom I am going to speak of or allude to, as of those mentioned in the first part of this Charge. The object of the latter is evidently bad, and their doctrine obviously and enormously heterodox and schismatical: whereas the proposed object of the former I believe was innocent and laudable, and a great part of the errors into which they have fallen, may, in some shape be palliated, on the score of oversight or other human infirmity. Still, as these now stand on the face of alledged *Professions of Faith* and standard Homilies of Catholic morality, and as I have been actually called upon by some most respectable members of your body to give my judgment upon them, I should feel conscious of a breach of duty, if I neglected to do so. It is evident that in publications of these two descriptions, no error is light in itself, or of trivial consequence to the faithful; since the Spouse of Jesus Christ, his holy Church, is all fair—a glorious Church not having spot or wrinkle. Ephes. v. 27; and since Christ himself tells us; *He that shall break one of these least commandments and shall SO TEACH MEN, shall be called the least in the kingdom of Heaven.* Mat. v. 10.

The first publication which I am called upon to revise, having been so called upon both by its approvers and its censors, professes, in its title-page, to be nothing less than THE FAITH OF CATHOLICS. It was printed and published a few months ago, in this District, and is now spread throughout every part of it, and, more or less, throughout all England. The text or substance of it is said to have been first printed in the reign of Charles II. but it does not appear to have been then sanctioned by any person of ecclesiastical authority or learning. It then bore the title of ROMAN CATHOLIC PRINCIPLES IN REFERENCE TO GOD AND THE KING. (1) Its next appearance was about 22 years ago, when it was republished, but greatly abridged and altered, under

(1) This original edition was put into the hands of the Rev. J. Nightingale, who has accordingly published it in his late *Portraiture of the R. Catholic Religion*, but with very considerable omissions, which, however, do not satisfy a certain Catholic supporter both of Mr. N. and the work. Accordingly he laments that this writer did not make greater use of the pruning knife and the scissars in giving it to the public. See Mr. N.—'s Letter in *The Catholic Magazine*.

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the authority of the abettors of the famous *Blue Books*. It was then called CATHOLIC PRINCIPLES IN REFERENCE TO GOD AND THE COUNTRY. But though the Gentlemen "sent this Treatise to the Minister, signifying it to be a Summary of our tenets, which, we assured him," say they, "we were persuaded every Catholic would readily subscribe to," and though they "directed 200 other copies to be distributed among members of the Established Church and Dissenters," *Second Blue Book*, p. 13, yet to my certain knowledge, it never was approved of by nor even submitted to the judgment of the proper Superiors, the then Vicars Apostolic. This is the more remarkable as the Gentlemen had pointedly denied, five pages before, their ever having "interfered in spiritual concerns," particularly with respect to "declarations or instruments containing doctrinal matter." In proof of this, they alledge, that they formally resolved, "not to distribute copies of the *Thanksgiving for His Majesty's recovery* (approved Prayers and Psalms of the Church) without consulting the Vicar Apostolic upon it." 2. B. B. p. 8. The work thus abridged was printed in 8vo, in 4to, and in folio, and was hung up in many Chapels of this county; from which circumstance it probably acquired its title of *The Staffordshire Creed*. All, however, that we need remark at present is, that thus far the work had not met with any due ecclesiastical approbation.

The work in question is now published, but with considerable omissions and alterations on one hand, and with very copious additions on the other, in an 8vo. volume of 463 pages, with the following title: *The Faith of Catholics, confirmed by Scripture, and attested by the Fathers of the five first ages of the Church*. It is accompanied with a letter, dated, Oct. 24, 1812, to the R. Rev. Dr. Poynter, V. A. L. D. in answer to some remarks and queries proposed by this Prelate to the editor of the work concerning certain passages in it; and, on the credit of these remarks, and of the answers given to them in that letter, the work is now advertised and recommended as "having been perused and remarked on by Dr. Poynter." (1) Thus the treatise assumes a new character, and becomes an object of much greater importance than it was before. There is even reason to apprehend that the public, both Catholic and Protestant, here and elsewhere, will now consider it

(1) Sincerely desirous as I ever have been to act in concert with my R. R. Brethren, in the common concerns of Religion, and particularly in what regards *The Faith of Catholics*, I lately gave notice to Dr. P—— of my intention to make certain remarks on the work bearing that title, as he had made his upon it; signifying that, in case he was dissatisfied with the use made of his name and the answers to his observations, published in the abovementioned work, I would on the present occasion "say what ever he should be pleased to dictate to me" on those subjects. But "he declined to give any answer at all" to this proposal, as I was informed by a note from a highly respectable common friend. Thus I am obliged to take up the whole matter, as far as my episcopal brother is concerned, exactly as is stated in the book, called *The Faith of Catholics*.

as an *approved symbol* of Catholic Faith, concluding of course that the numerous extracts from Scripture and the Fathers contained in it, do, in fact, attest and confirm its truth in every point; unless some means or other are adopted to counteract such a persuasion. The Protest which I here enter with you, my Brethren, against this persuasion, which is to be communicated to your flocks, as you shall find expedient, is the least offensive method that occurs to me, of doing this, with regard to the Midland District.

Before I enter upon the matter itself of this work, I must premise, 1st, that the objections which I am about to make to it, do not at all invalidate it as a *Profession of civil and social Duty*, but merely to shew its inaccuracy as an *Exposition of Catholic Faith*.

2dly,—I do not profess to remark on *all the passages of the text*, which I object to. Much less do I undertake to collate with their originals the numerous extracts from the Scriptures and Fathers, which make up the bulk of the volume; or to examine how far they respectively apply to the propositions which they are brought to confirm. Indeed I have no doubt, from the fidelity and attention of the intelligent clergyman of this District, who collected most of the extracts and compared all of them with the originals, that they are authentic and accurate. Still they will not be found to establish any of the points which I am about to notice.

3dly,—I cannot admit of the learned editor's claim to expound one proposition or passage, in a work of this nature, by the help of another, in order to vindicate its accuracy or truth. I admit indeed this method, as far as it goes, in defence of the editor's *personal orthodoxy*; but I maintain that in an *Exposition of Catholic Faith*, or a Creed, as this work professes to be, every sentence ought to be translucidly clear and rigidly exact; without the tedious and uncertain medium of collating, arguing and inferring.

To speak now, generally of the treatise: it is a strong presumption against it that in neither of its former editions or forms, I mean those of the 17th and 18th centuries, was it approved of by any due authority. A still stronger presumption against it arises from the very circumstances of its having put on a variety of forms. I have several editions of it now before me, and no two of them agree together even upon essential points of doctrine: the latter editors being evidently dissatisfied with the texts of their predecessors. The Holy Fathers objected to the Arians that they had "New Creeds every year and every month, while their own pronounced at Nice was fixed to remain for ever." So it ought to be with every Profession of Catholic Faith. Lastly, it is a strong argument against a Profession of *Catholic Principles* in reference to God and the country, or an Exposition of *The Faith of Catholics*, that it

does not contain a Word about the *Unity and Trinity of God, or the Incarnation and Divinity of our Saviour!*

To proceed now to a short examination of a few particular propositions, as they respectively stand in the *Original Edition*, the *Blue Book Edition* and the late *Birmingham Edition*. The Second Proposition in the two former editions, and the Fourth in the last edition declares that "The merits of Christ are not applied "to us otherwise than by a right faith." This proposition in what I take to have been the sense of the different editors, namely that a right faith, with respect to persons who are capable of making an act of it, is necessary to salvation; but, as it stands, in the text of the Exposition, it evidently sanctions the condemned error, espoused by the Methodists, &c. that "man is justified by faith alone," as Dr. Poynter (1) justly observes; and, it no less evidently sanctions that other condemned error of the Anabaptists, that "Baptism is of no avail for the remission of sin, till persons arrive at the years of maturity and are enabled to conceive an act of faith."

The 12th Article of the Original editions concerning the *Mode* by which the Church proposes her faith to us is omitted in the B. B. edition, no doubt from its being disapproved of, and it is essentially altered in the late Birm. edition.

The Second Section of the Original begins with expressing that "General Councils are the Church of God representative." This expression seems to have been intended by its author to signify that the Prelates present at General Councils represent all their absent brethren, and speak the faith of the whole Church, in which sense it is orthodox, though obscure; but the B. B. and the Birm. editions change the expression greatly for the worse thus; "The Pastors of the Church, are the body representative, either dispersed, "or convened in Council." Dr. P. finds this "expression equi-vocal." (2) Without entering into his reasoning on the expression, I say of the whole proposition that, in declaring that the *Pastors of the Church dispersed* form altogether, a body representative, it insinuates that they derive their authority from certain earthly constituents, like Members of the House of Commons, and that they deliver the faith of the Church in the name of those constituents and not of God; which is the error formerly condemned in Richer, and lately marked with the note of heresy by P. Pius VI. (3) I say 2dly that,

(1) See the Editor's Letter to Dr. Poynter in answer to the latter's remarks in *The Faith of Catholics*, p. XLV.

(2) Letter to Dr. P. *Faith of Catholics*, p. XLV.

(3) "Propositio quæ statuit; Potestatem a Deo datam Ecclesiæ ut communicaretur Pastoribus, qui sunt ejus Ministri; sic intellecta ut a communitate fidelium in Pastores derivetur ecclesiastici ministerii ac regiminis potestas, HÆRETICA." Damnatio Synod. Pistoj.

as there is no distinction made in the proposition between Pastors of the 1st and of the 2d Order, but they are *indiscriminately and equally* represented as "commissioned by Christ to explain to the faithful what is of faith," it savours of the schismatical doctrine of the condemned Dr. O'Conor (1) and the Calvinists.

The next proposition, N^o. XI. affirms that "It is no article of faith that the Church cannot err in matters of fact, or discipline, things alterable by circumstances of time and place, &c. These things are no revelations deposited in the Church, in regard of which alone she has the promised assistance of the Holy Spirit." My learned colleague expresses doubts concerning these and similar positions in this and in the preceding article. For my part, I say, that if they can be tolerated, then we may, without the guilt of heresy, deny the definition of the Council of Florence: "Definitimus ipsum Romanum Pontificem successorem esse Petri" or that heresy is contained in the celebrated *Three Chapters*, or in the *Augustinus* of Jansenius. (2) Again if there were no promise of the assistance of the Holy Ghost to the Apostles and their successors, even in General Councils with respect to the establishment of universal discipline, though she may alter this according to circumstances; then the Apostles could not have declared as they did when they prohibited the eating of blood: *Visum est SPIRITUI SANCTO et nobis*; Act. XV. 28, and then Christ himself would not have said: *Si ecclesiam non audierit sit tibi sicut Ethnicus et Publicanus*. Mat XVIII. 17. Art. 3 of the B. B. edition, by suppressing an important clause in the original, attacks the Pope's civil right, as a Sovereign Prince, and makes an error where there was none before. Art. 4 both of the Original and the B. B. editions qualifies the deposing doctrine as *impious and damnable*, which it is evident impiety to assert. (3) The Birm. editor avoids this error by suppressing the whole passage; but then both he and the B. B. editors are highly blameable for suppressing the Pope's title of *Vicar of Jesus Christ*, which occurs in Art. 5 of the Original, as

(1) See Address of the R. Catholic Prelates, Dublin, Nov. 18, 1812, p. 5.

(2) In opposition to this doctrine of the Catholic Church an ingenuous Lawyer, who too often plays the Divine, publishes thus: "The lawfulness of religious tenets, expressed in an oath, is a question of theology; but the meaning of the words, or the sense of any particular passage is a matter of personal judgment, to which, in ordinary cases any man endowed with common sense is competent." *J. J. Dillon's Two Memoirs*, p. 27; where he argues for the lawfulness of Catholics, taking the oath of supremacy, on the authority of a writer whom, *I hope*, he misrepresents.

(3) True it is that, by our oath of 1791, we abjured the deposing doctrine; but we positively refused to abjure it in the terms first proposed to us, as *impious, damnable and heretical*, which would have excommunicated, as it were, many of the best citizens, subjects and Princes, as well as of the holiest men of former ages, and have fabricated a new heresy.

well as in the definitions of General Councils: the Birm. editor is even satisfied with ascribing to him *peculiar powers* in the Church, which expression implies no superiority in him over other Bishops, but is compatible with a *perfect equality*, each one having his *peculiar department*.

I pass over many other errors or inaccuracies which strike me in this too often published Exposition of our Principles. In the original and the B. B. editions, it is declared of *Indulgences* that they "are *nothing else* than a mitigation or relaxation of canonical penances," which, as these penances are now abrogated would at once prove their *inutility*, contrary to the definition of the Council of Trent and its description of them, where it terms them *Cœlestes Thesauri*. Indeed the proposition as it stands has been censured by P. Pius VI, in a Declaration, received by the whole Church, (1) It is a justice due to the present editor to acknowledge that he has suppressed this error of the two former editions; but, on the other hand, he makes use of less appropriate terms concerning the object of our *worship* and the *honour* which we pay to the *representation of Christ and his Saints* than the former editions do, and particularly the Original edition. In the new matter which the present editor introduces, he speaks too lightly of the *celibacy of the clergy*, describing it as a thing which "may be changed when it "shall seem good to our ecclesiastical rulers;" P. 383; (2) and he falls into a positive error of fact where he affirms that heretofore "the discipline of the Church permitted marriage," to the clergy, meaning the higher orders of the Clergy. He is guilty of a more formal and equally dangerous error in the following new article of Catholic Faith which he brings forward: "We believe Matrimony "to be a Sacrament of the new law, instituted by Christ; whereby "a new dignity is added to THE CIVIL CONTRACT of marriage, "and grace given to those who worthily receive it." Now the *Civil contract* of marriage in some countries is indecent, in others idolatrous, and in others again, contrary to the Divine law. In our own country, for example, it very frequently happens that parties, having obtained a sentence of Divorce from Parliament, enter

(1) "Propositio affirmans, Indulgentias sectundum suam preciam non
tionem, aliud non esse quam remissionem partis ejus penitentiae quæ per
canones statuta erat peccanti—quasi Indulgentia, preter nudam remis-
sionem penæ canonice, non etiam valeat ad remissionem penæ temporalis
pro peccatis actualibus debito apud Divinam justitiam;—Falsa, temeraria
Christi meritis injuriosa, dudum in Lutheri Art. 19. damnata." Damas, Synod. Pistoj. N. 40.

(2) S. Epiphanius traces the canons, enjoining sacerdotal continence up to the Apostles. Heres. 48. n. 7; and says, that, if this was violated in certain Churches (namely in certain obscure ones) it happened through the "sloth of men, and contrary to the Canons." Heres. 59. n. 4. S. Jerom bears witness to the strictness with which this discipline was enforced in the great Patriarchates of Antioch, Alexandria and Rome. Allvers. Vigilant.

into new pretended contracts of marriage, with other persons, their real husbands or wives being still living; yet these are *valid Civil contracts*. But does the Church acknowledge them to be lawful in the sight of God, and to form *the matter of her Sacrament*? No, she defines the contrary; *Trid. Sess. XXIV. can. VII.* and she declares with sufficient evidence the contrary doctrine in the following terms:—“Dubitandum non est clandestina matrimonia, libero con-“trahentium consensu facta rata et vera esse matrimonia QUAMDIU“ECCLESIA EA IRRITA NON FECIT. *Ibid. Decret. De Ref.“c. 1.*

But more than enough has been said to convince you, Dear Brethren, that this oft published treatise is not to be received by you or your flocks as an *authentic Exposition of R. Catholic Principles* and still less as **THE FAITH OF CATHOLICS.**

I should be exceedingly glad, my Reverend Brethren, to be excused from noticing, on this occasion, certain other works, entitled “*Sermons on various Moral and Religious Subjects for all the Sunday days and some of the Principal Festivals of the Year*,” and “*A Second Series of Sermons, &c.*”; but as these, notwithstanding their general orthodoxy, in addition to their eloquence, contain a certain mixture of erroneous and dangerous morality, and frequently breathe a spirit very different from that of the Holy Fathers and the Saints; and, as these Sermons are habitually read from different altars of this as well as of the other Districts, my conscience will no longer permit me to authorize or connive at this use of them. In my first Pastoral Letter to you, nine years ago, I omitted to mention these celebrated Sermons among other Catholic works of morality which I recommended to be used for public instruction, because I could not altogether approve of them. Since that time I have on different occasions recommended in vain a revision and correction of them on the part of the authors or of my brethren. Should this ever be done, I shall be one of the first persons to testify my public approbation of them.

To speak first of the fundamental virtue of Christian morality, *Humility*; the eloquent Preacher, in a Sermon under this title, lays down the following maxims concerning it:—

“Humility implies in it these two things, that we entertain a just and moderate opinion of ourselves, and that we do not prefer ourselves unreasonably to others. All virtues lie in a middle point between two opposite extremes: and thus humility is situated exactly between pride and abjectness of mind. The proud man thinks too highly of himself, the abject man too meanly: but the humble man thinks justly concerning himself and what belongs to him. We must be careful to avoid each of these errors, keeping as far from mean spiritedness on one hand as from pride on the other.” Vol. III. 2d. Series, p. p. 64, 65.

Such I know is the morality of this unchristian age, which has transferred the vice that the word of God pronounces to be, **The**

beginning of all Sin, Ecclesiasticus x. 15, into the class of *virtues*, and which is for ever *boasting of its pride*; but this, I testify, is contrary to the morality taught by the H. Fathers, and dictated by the Word of God. Let us hear, upon this subject, the great Patriarch of ascetics, St. Benedict. He says: "Sextus gradus humilitatis est " se omnibus viliorem credere et pronunciare." Let us next listen to the last in number, but one of the most enlightened of the H. Fathers, St. Bernard, who thus accurately defines this virtue: "Humilitas est virtus qua homo verissimâ sui cognitione, sibi ipsi " vilescit." After this let us attend to the Angel of the schools, St. Thomas, who expressly tells us: "Homo debet se omnibus per " humilitatem subjicere." Let us, at all events, receive the inspired maxim of the Apostle, St. Paul, who thus admonishes us: *In humilitate superiores sibi invicem arbitrates*, Philip ii. 3; and finally that of Jesus Christ himself, who teaches us: *Si quis vult primus esse erit omnium novissimus*. Marc. ix. 34.—But the principle upon which the eloquent moralist proceeds is a false one, namely, that, "All virtues lie in a middle point between two opposite extremes;" for what will he say about "a middle point" in the love of God, for example, if we are to believe the great Doctor of this virtue, St. Bernard, who says; "Modus diligendi, Deum, est diligere sine "modo," S. Bern. Tract de Amand. Deo; or even Christ himself who thus commands us: Diliges Dominum Deum tuum ex *toto corde tuo*, et in *tota anima tua* et in *tota mente tua*. Mat. xxii. 37.

I might argue upon equally firm ground, against some of the eloquent Preacher's positions, respecting "The Passions," Serm. xxxviii. and "The Means of subduing the passions," Serm. xxxix. which are very different from those of the Holy Fathers and our approved Catholic moralists in general, insomuch that I have witnessed a learned Priest, now distinguished by his situation, breaking short off, as he was reading one of the said Sermons to his congregation, his conscience not permitting him, as he afterwards told me, to proceed with the lecture. In like manner the Preacher's disdain of controversy, (which subject, nevertheless, occupies more than half the volumes of the H. Fathers) his affected liberality in soothing rather than rousing the just apprehensions of his heterodox and schismatical hearers, and his indulgent compounding with the dangerous amusements of the theatre, are of quite an opposite tendency to the lessons of the H. Fathers and approved Doctors of the Church in all ages.

On one occasion, whilst he cautions his hearers against "Romances and "novels, made up of a series of fictitious events, calculated to fill the fancy "with a thousand dangerous images, to corrupt a virgin-heart, and teach the "arts of intrigue;" no one can fail to remark that he does not say a word against *theatrical entertainments*, though these are made up of the self same materials as the former, and are aided, in their fatal effect upon the imagination by every object that can strike the senses, such as soft music, immodest dresses and attitudes, bad company, &c. 2. Series V. I. p. 35. On another occasion, having condemned "masquerades, balls, and promiscuous assem-

"blies, as dangerous to virtue;" he adds, "on other assemblies I do not think myself authorized to throw any undistinguishing censure. In many cases they may be innocent. But each one best knows whether he returns from them with the same purity and peace of mind, with which he went. Certain it is, that many public assemblies are calculated to give confidence to those whose virtue makes them timorous, and to kindle ardour in the breasts of the cold and unsuspecting. In them the vigilance of a discreet monitor is frequently eluded, and the outworks of chastity are easily demolished. As to the truth of this observation, THINK FOR YOURSELVES; and the same may be said of theatrical entertainments. Such as are in any degree indecent, are always so far criminal. Others, though in themselves innocent, which is rarely the case, are in their consequences filled with guilt. When people run to them with dissipated minds and unguarded imaginations, it is well, indeed, if they do not contract from them some desilement of heart:" 2. Ser. V. II. p. p. 11. 12: just as if any description of spectators, whether clerics or laics, went to the Play-house with *recollected minds!*"

In a word this lecture on the theatre is not calculated to deter our Catholics from frequenting it, but to afford a palliative to their scruples in their too common habitude of frequenting it. How widely distant, My Dear and Reverend Brethren, is this language from that of all the Fathers and approved Doctors of the Church on the same subject since its beginning down to the present time! I will give a few specimens of the latter.—St. Augustin bewailing his sinful life, before his conversion, says: "Rapiebant me spectacula theatrica, plena imaginibus miseriarum mearum et somitibus ignis mei." *Confess.* L. 3. c. 2. He elsewhere terms these entertainments: "Animarum pestis, probitatis et honestatis eversio." *De Civit.* L. 1. c. 13. St. Cyprian says of these amusements: "Avocandus est animus ab istis; habet Christianus meliora spectacula.—Cito in hoc assuescimus quod audimus seelere." *Epist. ad Donat.* To these we may add a few words from Salvian: "In theatris nil reatu vacat. Quomodo, O Christiane! spectacula, post baptismum, sequeris quæ opus esse Diaboli confiteris?" *De Gub. Mund.* L. 6.

Having said thus much to you, My Brethren, concerning the doctrine of the Church, I must subjoin a few words concerning the right way of inculcating this to the people. Of late years you know that numerous Societies have been formed and incredible sums of money raised throughout the United Kingdom among Christians of other communions for the purpose of distributing Bibles gratis to all poor people who are willing to accept of them. In acting thus they act conformably to the fundamental principles of their religion, which teach that "the Bible contains all things necessary for salvation and that it is easy to be understood by every person of common sense." But who could have imagined that Catholics, grounded upon quite opposite principles, should nevertheless show a disposition to follow the example of Protestants, in this particular; by forming themselves also into *Bible Societies* and contributing their money for putting the mysterious letter of God's Word into the hands of the illiterate poor, instead of educating clergymen even in the present distressing scarcity of Clergy, to expound the sense

of that word to them. Yet such has been the influence either of public opinion or of politics upon several Catholics of both Islands at the beginning of this 19th Century! As it is highly probable that the prevailing *Biblio-mania* may soon reach this district, I think it my duty to lay down a few maxims on this subject, which, in the supposed case, you will not fail, My Dear Brethren, to impress upon the minds of your people.

1. When our Saviour, Christ, sent his Apostles to convert the world, he did not say to them : Go and distribute volumes of the Scripture among the nations of the world; but : *Go into the whole world and PREACH the gospel to every creature.* Mark xvi. 15.

2. It is notorious that not one of the nations, converted by the Apostles or their successors, nor any part of a nation, was converted by reading the scriptures. No, they were converted in the way appointed by Christ, that of preaching the Gospel, as is seen in the Acts of the Apostles, Bedes History, &c.

3. The promiscuous reading of the Bible is not calculated nor intended by God as the means of conveying religious instruction to the bulk of mankind. For the bulk of mankind cannot read at all; and we do not find any Divine commandment as to their being obliged to study letters. In the next place, the Bible is a book, which, though inspired, is more or less obscure in most parts of it and full of things *hard to be understood, which the unlearned and unstable wrest to their own destruction.* 2. Pet. iii. 16. Some texts seem to contradict others : several appear to inculcate the very vices which God condemns. Hence the worst of crimes may be perpetrated and defended, as they very frequently have been, on the supposed authority of Scripture ; when scripture is left to the interpretation of the ignorant or ill-disposed. Thus all the horrors and follies of the Grand Rebellion, even to the murder of the King, were supposed by the people to be authorized by certain texts of scripture. (1) In a word it is evidently a much more rational plan to put the *Statutes at large* into the hands of the illiterate vulgar, telling them to become their own lawyers, than it is to put the text itself of the mysterious Bible into their hands, for enabling them to hammer their religion and morality out of it.

4. Even the learned among those Christians who make the text alone their rule, cannot agree on the sense of scripture in its fundamental points ; as the endless variations of Protestants on all religious subjects prove. Hence we may infer, what experience proves to be the case, that a plain well meaning man, following that rule, may spend a great deal of time, every day of his life, in reading the Scriptures, without acquiring any clear consistent plan of religion whatsoever from it. The adoption of the rule and practice in ques-

(1) This is acknowledged by Dr. Hey in his Norrisian Lectures, vol. i. p. 77, and by other ingenuous Protestant writers.

tion will indeed unsettle and pervert ignorant Catholics; and on this very account the Bible Societies are so very industrious in deluging Ireland with Bibles; but they will never make a believer in the 39 articles or in any other existing or possible Confession of faith whatsoever.

5. We perfectly agree with the Bibliomanists that the *word of God* is the *bread of life*, and an *inestimable treasure*, brought from *Heaven itself*, and which *ought not to be locked up from the most illiterate of mankind*, but which rather ought to be *more largely imparted to them in proportion to their ignorance*; but then we know and we force our opponents occasionally to admit, that the word of God is *twofold*, the *written word* and the *unwritten word*, or *tradition*. We shew that both these are and ever have been carefully preserved in the Catholic Church, and are communicated to the faithful, in a manner adapted to their comprehension, by the *viva voce* instructions of her Pastors, whose *first and most essential duty* she declares it is (1) to break the word of God to them by preaching, as likewise in her approved Catechisms, and other books of instruction and morality. In these all the necessary truths of revelation, whether contained in the Written or the Unwritten *Word of God*, have been collected together, digested in a regular order, and expressed in the clearest terms by the most learned and pious Prelates and other Divines, under the inspection and authority of the Infallible Church of Christ. Hence it appears and it really is, that a plain Catholic peasant who is well grounded in the knowledge of his Catechism really knows more of the Word of God, as to the sense and substance of it, than a Methodist Preacher, who can repeat the words of the whole Bible by heart.—As to the text itself of the Bible, the Catholic Church, so far from locking that up, *requires her Pastors* to study the whole of it assiduously, as being, by excellence, the *Liber Sacredotalis*; and she imposes an obligation upon them, under the guilt of a grievous sin, as you well know, to recite no small portion of it, every day of their lives. She moreover recommends the reading of it to all persons who have some tincture of learning, and an adequate knowledge of their religion, together with the necessary humility and docility to dispose them (in common with her first Pastors and the Pope himself) to submit their own private opinion upon all articles of faith, to the belief of the Great Church of all nations and all ages.

In conclusion, then, My Dear and Beloved Brethren, I am confident you will not encourage or countenance the distribution of Bibles or Testaments among the very illiterate persons of your respective congregations, as proper initiatory books of instruction for them. Rather procure for them if you can a sufficient number of copies of the *First and Second Catechism*, the *Catholic Christian*

(1) Trid. Sept. v. De Ref. c. 2. Sep. xxiv. De Ref. c. 4.

Instructed, the *Grounds of the Catholic Doctrine*, and the *History of the Old and New Testament*. - In the line of morality recommend the *Think well on it*; the *Meditations for every Day in the Year*; the *Following of Christ*; and the *Introduction to a Devout Life*; all which works were either written or published by the late Ven. Bishop Challoner; and, for general religious information and edification, promote the reading of that *Cyclopaedia of Theological learning*, *The Lives of the Saints*, by the late Rev. Alban Butler. (1). *The Grace and the Peace of God be ever with you.*

JOHN MILNER,

Bishop of Castabala, Vic. Ap.

Wolverhampton, March 30, 1813.

(1) A new stereotype edition of this work is now coming out from the press of Keatings & Brown, under the care of Mr. Murphy, of No. 19, Howland-street, in numbers, price a shilling, or sixpence each, according to the quality of the paper and the decorations.

"*Sacra Scriptura est liber Sacerdotalis.*" S. Ambros. L. 3. de Fid.

"*Nunquam a manibus Ecclesiasticorum liber legis, hoc est Biblia; depo-*
" *natur.*" Concil. Colon. P. ii. c. 5.—Vide etiam Trid. Sess. V. de Ref. c. 1.

"*Cum experimento manifestum sit, si sacra Biblia, vulgari lingua passim, sine discrimine, permittantur, plus inde, ob hominum temeritatem, detimenti quam utilitatis oriri, hac in re, judicio Episcopi aut Inquisitoris stetur, ut cum consilio Parochi vel Confessarii, Bibliorum, à Catholicis auctoribus versorum; lectionem in vulgari lingua eis concedere possint quos intelleixerint ex hujusmodi lectione non damnum sed fidei atque pietatis argumentum capere posse.*" Reg. 4. Indicis à delectis Patribus Conc. Trid. confecti, et à P. Pio IV. editi.

"*Il est utile et nécessaire en tout temps, en tous lieux, et a toutes sortes de Personnes d'en étudier de l'Ecriture.*" Propos. 79. Quesneliana per Bullam Unigenitus à tota Ecclesia receptam, condemnata.

"*La lecture de l'Ecriture, Sainte est pour tout le monde.*" Prop. 80 Condem.

"*L'obscurité sainte de la parole de Dieu, n'est pas aux laïques une raison pour se dispenser de la lire.*" Prop. 81. comdem.

"*Doctrina perhibens a lectione S. Scripturarum non nisi veram impotentiam excusare: Falsa temeraria, &c. in Quesnel damnata.*" Damnatio Synodi Pistoyensis per P. Pium VI. a tota Ecclesia recepta.

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A
DISCOURSE

DELIVERED AT THE

CONSECRATION

OF THE

Right Rev. WILLIAM GIBSON,
BISHOP OF ACANTHOS. A.V.N.

IN THE CHAPEL OF LULLWORTH CASTLE,

On SUNDAY, 5th of DECEMBER, 1790.

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O F T H E

Right Rev. WILLIAM GIBSON,
BISHOP OF ACANTHOS. A. V. N.

I N T H E

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On SUNDAY, 5th of DECEMBER, 1790.

Together with an INTRODUCTORY ACCOUNT of the
CONSECRATION, &c.

*By the Rev. John Milner,
Fellow of the Antiquarian Society.*

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INTRODUCTION.

THE Author of the following discourse, having been solicited to give it to the Catholic public, is chiefly induced to comply with this request from a conviction that the practical lessons it contains are those only that are capable of restoring and preserving to us the long lost blessings of order and of its attendant peace. Without a cordial love of the Church, and a due submission to its authorised ministers, our present evils must be incurable, and fresh evils cannot fail to arise. Without a sense of the advantages of social union, and a proper subordination of the component parts, every kingdom, of whatever nature, must be divided against itself; and the eternal truth has pronounced, that *every kingdom divided against itself shall be laid waste.* Mat. xii. 25.

The sentiments that occur below, and which, it is hoped, are apposite to the occasion on which

which they were delivered, will be found widely different from those of a late respectable writer, who, professing the same desire of restoring peace amongst English Catholics*, aims at effecting this by representing the subject of their divisions in a directly opposite point of view to that in which it has been considered by its "lawful judges and arbitramtors," as he expressly calls them †, and who confessing that our pastors "most certainly moved within the circle of their pastoral charge for the direction and safety of their flock ‡," in their synod on the 19th October, 1789, endeavours by the most glaring sophistry § to sap the foundation of the sentence

* See a *View of the Oath, &c.* by the Rev. Jos. Reeves. Pref.

† Page 11.

‡ Ibid.

§ To account for so harsh a term being applied to the production of a writer of character and abilities, the well-meaning reader is referred, amongst other passages, to pp. 20, 32 and 46, in which pulling down as unsafe the props on which a

certain instrument has hitherto rested, he substitutes others of his own invention, but equally rotten. It has, therefore, been too hastily assumed, that the *View* is in all respects a mere echo of what is called the *Blue Book*. —Speaking of our too notorious divisions this well-meaning writer exclaims, "O suffer not so much as a whisper of our disagreement to steal out, lest our adversaries

tence they then pronounced *, and exhibits an example of disobedience to lawful authority which is dangerous in proportion as the rest of his conduct is edifying.

It

"adversaries upbraid us." With more reason may the author be permitted to exclaim, *O tell not in Geth, publish not in the streets of Ascalon* the grounds on which some Catholics in the above-mentioned works have been found willing to rest their consciences in a solemn appeal to God and their country, lest the enemies of the Church should rejoice. The author can with a safe conscience declare, that this consideration has been the chief restraint upon his pen from entering upon that ample but delicate matter.

* The author is aware of the unsatisfactory plea, that *the Oath has been altered since it was the subject of the episcopal censure*; but that censure being general, as the writer tells us, on what ground can he presume that

the single alteration, which has since been adopted, has deprived it of its pernicious qualities of being *ambiguous, derogating from Catholic principles, and confounding the spiritual and temporal powers together*, for which it was condemned by *its lawful judges*, as was notified to him by his own bishops public letters of November 2, and December 24, 1789? From the latter of these he learns, that not one, but *several parts* of the said Oath were *censurable*. Besides, he well knows that these pastors, "moving within the circle of their pastoral charge," declared in their Encyclical letter dated Hammersmith, Oct. 21, 1789, that "none of the faithful ought to take any new Oath, or sign any new declaration in doctrinal matters," &c. and therefore

It must be a satisfaction to every true child of the Church to be informed, that this learned and deservedly respected clergyman has made a submissive apology to his bishop for the just subject of complaint which he had afforded him by the tenor of the above-mentioned publication, in which, amongst other things, he alledges that his work has undergone an essential alteration since it went out of his hands into those of his revisors.

It having pleased Divine Providence to deprive us of two out of our four bishops at a time when we stood most in want of their pastoral guidance and authority, their places, after a stormy interregnum, have canonically, and in perfect conformity with the rules established in such cases above a century ago when our districts were first formed, been filled with prelates of unimpeachable characters

fore à fortiori not to persuade others to do so, "with-out the previous approba-tion of their respective bishop."

One remark more seems necessary for the sake of well-meaning, but misinformed Catholics. Our author gives us to understand,

and it has been a thousand times boldly asserted, that the Oath, as now altered, is strictly conformable to the Declaration; whereas the fact

is, that one half of the objectionable passages in the Oath, as it stands at the present moment, never existed in the Declaration at all.

and

and of universally acknowledged virtue and talents, whose long-tried piety, orthodoxy, zeal and learning in their former stations, have recommended them as fit persons to continue that succession of truly apostolical pastors with which this island has been peculiarly blessed ever since the re-establishment of the prelacy in it.

The author is not unacquainted with the epidemical phrenzy that prevails in this and other countries, for establishing certain chimerical rights of man in a business in which man has no right at all, but in which all things are to be conducted in conformity with the laws laid down by Jesus Christ ; I mean the principle of vesting in the people at large the authority of appointing their own prelates. This, however, he considers as one effort of that spirit of anarchy which has already so much encreased the miseries of mankind *.

He

*. Since the delivery of the following discourse a pamphlet has been published and advertised, no doubt with the view of disposing the legislature in our favor, in which the prevailing principles of ecclesiastical anarchy are developed to an extent, that it is hoped will alarm and reclaim such well meaning Catholics as have unwarily abetted them. This motley manufacture of schismatical falsehood and indecency is dated from Lincoln's Inn, and

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bears

He will not now repeat what he has said in a former work on that subject, in relation to the ancient discipline of the Church from the time of the apostles themselves, in relation to its present

bears a signature with which many persons, not more respectable for their birth than for their orthodoxy and piety, are connected; which therefore, according to the rule laid down p. 85 for judging of sentiments by consanguinity, must be a forgery. The clergy, who in a former work had been summoned to make a schismatical election of a bishop, in this are disqualified from voting as men who find their account in having bad and unenlightened prelates. The lay people of London are now, it seems, to be convened, in order to displace their present lawfully consecrated prelate, and to place another gentleman, even against his own inclinations, in the episcopal chair. The scattered Catholics of this mission are declared competent to abrogate the discipline of the Universal Church, though sanctioned by General Councils, and to the ground-work of this discipline, not to the perversity of wicked men, all heresies and schisms for many ages backward are ascribed. The Catholic bishops of this kingdom, and of Christendom in general, are brought in guilty of disloyalty, cruelty and perjury: but as to the Chief Bishop and the Holy See, no calumny appears too barefaced, no invective too gross to effect the object, which all heretics and schismatics have had in view, of rendering them odious and contemptible in the eyes of the faithful. All this, however, is easily understood, and forms part of that plan which a few individuals have long had in contemplation for engaging Catholics to throw off

present universal discipline as sanctioned by General Councils, and in relation to our peculiar circumstances which for various reasons cannot possibly admit of a change: he cannot however suppress the satisfaction he feels at finding the opinion he there laid down concerning the consequences to be expected from popular elections of bishops confirmed by the most profound and eloquent of modern writers, the firm friend of human nature in all its gradations from the galley to

off the divine jurisdiction of the Supreme Pastor, which is essential to their belonging to the *one fold of Christ*. But why the clergy of Douay College should be so severely satyrized as neglectful of missionary labours, or how a new edition of the Douay Bible can give offence, or for what reason a panegyric is pronounced on prostitutes, at the expence of our Catholic Ladies, who are compared with the riotous and sanguinary fish-women of Paris, does not at first sight appear.

The author had prepared a refutation of the arguments and statements contained in this scandalous production, when by a great number of letters received from various and respectable quarters he was dissuaded from publishing, and made sensible that the end he had in view was already answered in the reception the pamphlet has met with from the Catholic public. Hence he is induced to leave such passages in his late *Answer to a Layman's Letter*, as are here either misquoted or misrepresented, to speak for themselves on a second perusal, with the candid and intelligent reader.

the throne. The passage itself from this most celebrated publication of the age may be seen below.

The Right Reverend William Gibson, the first appointed of the two above-mentioned prelates, has for the last ten years been President of the English Secular College at Douay, a post which in importance and dignity is considered as next to the prelacy. In this conspicuous station he could not fail of becoming well known, not only to the prelates and other eminent Catholics of the British islands, but also to many of the most eminent ecclesiastical characters abroad, particularly at Rome, from several of whom he received the most distinguished marks of confidence and regard. It is not, therefore, surprising that the strong though unsolicited recommendations, as we have since learned, that were sent up from these several quarters to the Sacred Congregation in favor of this prelate, joined to their own long experience of the proper qualifications in him above rehearsed, and the consideration of his unavoidable connexions with the Northern district, by his being executor to his worthy deceased brother, should cause him to be unanimously represented

fented to the Chief Pastor as a fit person to succeed to his important charge.

No sooner was his appointment known, and that he was desirous of receiving the episcopal character from the Dean of the Prelatic College, the venerable Bishop of the West, than a respectable gentleman in that district, who, amongst seven congregations which he supports in different districts, has three in that of the North alone, testified his desire, for the mutual convenience of the prelates, and for the performance of that awful ceremony with the dignity which is due to it, that it might take place at his beautiful chapel at Lullworth, and that he might be permitted to charge himself with the trouble and expence attendant on it. Accordingly this elegant Grecian structure, the beauty of which has just been heightened by some new pictures brought from Italy, &c. shone in all the splendor of the costly treasury belonging to it. Its rich sacerdotal habits received an addition from the princely sacristy of Wardour Castle, and the harmonious organ and choir were tuned to inspire suitable sentiments of reverence and devotion. Besides the two prelates, the consecrator and the elect, there were five other officiating clergymen in rich vestments, and seven inferior

rior ministers in clerical ornaments, amongst whom were the four eldest sons of the religious patron. He himself, like another David before the ark, led the band of sacred singers, *choosing*, in the sentiment of that holy king for himself and for his children, *rather to be the least in God's house, than to dwell in the tabernacles of sinners.* Psalm lxxxiii. The other persons of note, besides the family of the Castle and the stated congregation, were the Right Honourable Lord Arundell, the Honourable Mr. Clifford and Lady, Mr. Raymund Arundell, Major O'Brien and Lady, the right Reverend John Douglas, Bishop Elect, who arrived too late to acquire the necessary hability for bearing a part in the august ceremony, &c. *

The awful examen, made with a dignity and piety perfectly according with the character of the venerable consecrator, the humble prostrations, the all-important imposition of hands, the mysterious unctions, multiplied benedictions, joint reception of the adorable

* The consecration of this worthy prelate has since been performed, viz. on Sunday 19th of December, by the Right Rev. Bishop Gibson, at the same place, and with equal dignity and splendor, through the pious liberality of the above-mentioned respectable gentleman.

species, the speaking investiture of episcopal insignia, majestic inthronation and dignified solemn blessing; all this being accompanied with the most sublime and moving prayers adapted to the occasion, and combined with the liturgy of the tremendous sacrifice performed in all its pomp, could not but constitute a solemnity truly affecting and elevating, which produced the most sensible effects on the persons present, no less than on the elect himself.—It was at the beginning of this striking ceremony that the following discourse was delivered.

The passage alluded to above, p. xii. from the celebrated work entitled *Reflections on the Revolutions in France*, &c. 5th ed. p. 220.

Speaking of the fanatic principle in favor of *popular elections to bishoprics and parochial cures*, Mr. Burke says,

“ This in the present state
“ of the world would be
“ the last corruption of the
“ Church, and the utter
“ ruin of the clerical cha-
“ racter.”

Then adverting to the abuses by which church preferments are liable to be obtained under the established patronages that prevail at present, he goes on,

“ But the other mode of ecclesiastical canvass subjects them infinitely more surely and more generally to all the evil arts of low ambition, which, operating on and through greater numbers, will produce mischief in proportion.”

A D I S C O U R S E, &c.

Tu es Petrus, &c.

Thou art Peter, (that is to say a Rock) and upon this Rock I will build my Church, and the gates of hell shall not prevail against it. St. Mat. c. 16. ver. 18.

ON the present awful occasion, dear Christians, on which we behold the Church of Christ, even in the day of her greatest affliction and depression, providing for her miraculous indefeasibility, by perpetuating the succession of her Prelates through the never-failing ministry of her Supreme Pastor in the chair of Peter, the text of scripture which I have repeated to you naturally presents itself to our consideration: a text which, like the Church itself to which it appertains, is too conspicuous to be overlooked, too firm to be destroyed or shaken.

From this glorious promise which Jesus Christ made to St. Peter, in return for the clear and explicit declaration of his divinity which the latter was inspired by the heavenly Father to make, we may draw the following conclusions: That the infernal enemies of the Church, signified by the *gates of hell*, will never cease to wage war against it: that, however these enemies may prevail over individual members of the Church, they will never succeed so far as to compass the destruction of the Church itself; and that this its indefectibility is, under Divine Providence, owing to the form of government Christ has established in it; in other words, to that regular and well disciplined hierarchy, in which, while the faithful rest securely on the authority of their pastors, the pastors themselves are preserved in unity and orthodoxy by being immovably fixed to one common center, which is the Rock of Peter spoken of in my text. At the present alarming crisis, the most threatening perhaps that has occurred in the long history of the Church, it must be a most interesting scene to behold in what manner the divine prediction before us has hitherto been fulfilled in its several parts: we shall see that it is not matter of mere speculation, but of the most serious

serious practical tendency. For first, whilst, on one hand, we are taught to venerate the Church as the object of the Almighty's peculiar care, and to trust for its safety, in the most imminent dangers, to a protection that it has so often experienced ; we are taught, on the other hand, to tremble and to take precautions for our individual safety, lest we, like so many millions of others, should deserve to become aliens from its blessings and its hopes. In the second place, while we contemplate the general means by which the Almighty has preserved the Church entire and incorrupt during so many ages, amidst the sport and malice of human passions, we learn what we have to trust to for safety in our present peculiar dangers ; I mean, we learn a due veneration for the sacred hierarchy, to the perpetuity of which the present august ceremony is subordinate.

But it is the Spirit of the Most High alone that can bestow an efficacious blessing on this ceremony, and on these instructions which in the name of the Church I am now addressing to you, that both the former and the latter may answer their intended effects in your regard. Let us then invoke this divine Spirit to confer the desired blessing through the intercession of the most acceptable of his creatures,

the chief honor, the most powerful succor, and most perfect emblem of his holy Church, saying, in the words he himself has inspired,

Hail Mary, &c.

It is not in the present passage of scripture alone that the immortality of Christ's spotless Spouse, I mean his holy Church, is foretold. The whole economy of the word of God, if I may so speak, turns upon this point, or is referable to it. The grand object which mankind were taught to look forward to from the very creation, was the establishment of a new and happier order of things, which, when it began was to have no end, in short of the blessed and eternal kingdom of the Messiah. In the 88th Psalm the Almighty is even introduced *swearing by his own most sacred being*, that the spiritual seed of David shall remain for ever, and that *his throne, the Church, shall continue unmoved like the sun itself for ever in his sight*. The accomplishment of this often repeated prophecy is a standing miracle proclaiming the truth of the Church, and still growing more palpable and conspicuous by the lapse of ages. During the eighteen centuries the Church has subsisted empires have risen and fallen, arts and sciences have been forgotten and revived, the manners of mankind

kind have undergone repeated revolutions, the whole face of the world has been often changed, while the Church of Christ, unlike any thing else here below, but in perfect conformity with the predictions of scripture, has continued immovable and unaltered, with the same code of belief, the same form of government, and with an uninterrupted succession of pastors, and in particular of her chief pastors in the See of Peter, to whom the promises in my text were particularly addressed.

The first grand trial to which the Church was exposed consisted in those severe persecutions which, with a few intervals, it endured for near three centuries. In fact, who would not have thought that an institution propagated by a few of the lowest order of mankind, equally destitute of art and of power, must have sunk under the power of the greatest empire that the world ever knew, directed with so much violence, and for so long a time against it? But so far from this being the case, *the stone cut out of the mountain without hands, smote the huge metallic statute and reduced it to dust, and became itself a mountain filling the whole earth,* as had been revealed to Daniel, c. ii. In short, the blood of the Martyrs was,

in

in the hand of God, the seed of Christianity, as an eye-witness relates, and the Church of Christ became every where triumphant.

To this exterior violence succeeded a more dangerous evil from the subtil poison which innumerable heretics, rising like the locusts in the Apocalypse from the bottomless pit, endeavoured to infuse into the Churches vitals. Each of these succeeding sects of heretics, aided by the secular power, seemed for a time on the very point of compassing the infernal foes hellish design; but these private opinions, like other errors of the human brain, after fluttering for a day, fell to the ground. God every where raised up holy pastors and doctors eminent for their sanctity, no less than for their learning, who acting in concert by pressing close round the common standard of orthodoxy the creed of the Roman Church extolled by the Apostle, *Rom. i. c. 8.* proved an overmatch for these numerous hosts of the Churches foes, with all their exterior advantages.

But lo! a new deluge appears, threatening at once to overwhelm the Church. Numberless hordes of barbarians from the North and the East come pouring in upon the Christian world, and seem bent, not so much on

on subduing it, as on sweeping away its individuals with all their civil and religious institutions; and with every monument that was capable of calling them to memory. The inundation indeed was general, its force was irresistible; the Romans, the Gauls, and the other civilized nations were no more to be found; the arts fell, science became nearly extinct, but the Church of Christ, by his omnipotent protection, rose superior to the common ruin; it even subdued these universal conquerors, and subjected them to the sweet and civilizing yoke of the gospel.

Not to detain you with less interesting events, near three centuries ago an ill-omened star appeared in the Northern hemisphere, and drew a third part of the heavenly host along with it into the deep abyss of heresy. But that faith which the Northern nations, by their tepidity, deserved to lose, was transferred to other nations that brought forth fruit in due season. New worlds were then discovered, and new resources for the Church appeared; amongst these I cannot but mention one, which is honored by the Church with that title in her solemn office, and which the chief pastor declared to have been specially raised up by God against the prevailing evils of the time, a religious

a religious society that was deservedly honored with the sacred name of JESUS, because it was ever most active and successful in making that saving name known to those distant nations, and which on account of the signal and extensive services it rendered to the Church, was always the first object of the calumnies and persecutions of her enemies. It was at that time, my dear brethren, that this our country, once known as *the island of saints*, having gradually fallen from its primitive fervor, deserved to be deprived of that light which had twice been communicated to it by the watchful care of the successor of St. Peter. Still, however, a remnant was left, which by its zeal and piety made amends to the Church for the scandal occasioned by the apostacy of their countrymen; these were traduced as deceivers yet were they true, 2 Cor. vi. *they were racked, not accepting of deliverance that they might find a better resurrection, they had trials of mockeries and stripes, moreover of bonds and of prisons, they were stoned, they were cut asunder—of whom the world was not worthy;* Heb. xi. It is to their constancy and piety, to their labors and to their blood that we are indebted for being exempt from the general mist of error, a mist, through which the spotless

spotless spouse of Jesus Christ, whose children we glory in being called, appears to such as are involved in it, in no other shape and colours than those of the filthy harlot described in the book of Revelations.

The present day, my dear brethren, presents us with the still more alarming spectacle of nations that heretofore formed the strength and glory of the Church rushing forward at once to the very brink of infidelity, while many others, who do not go these lengths, are infected with a spirit of religious anarchy, which renders them impatient of the necessary control of their pastors, and inflames them in particular with a contempt and hatred of Christ's Vicar on earth, their common father, to whom they owe such infinite obligations, as absurd and unnatural as it is impious and fatal. Would to God this spirit were confined to the countries from which it took its rise, and that our little flock, weakened as it is by frequent desertions, and exposed as it is to legal restraints, and to the more dangerous temptations of worldly example and worldly blandishments, were not infected with the prevailing distemper. Would to God that the scandal even of the dissensions occasioned by this spirit of unsubmission could be concealed.

cealed. But, alas! our calamities are now notorious to our enemies no less than our friends. Your venerable and experienced pastor, in whose presence and by whose authority I now speak, who never before, in the course of a long, a respected and a beloved ministry, was obliged to have recourse to such a measure, has found it necessary to proclaim to you the existence of this scandal, in order to guard you against it, and to call upon you for your support, in order to enable him and his worthy colleagues to exert their just authority to put an end to it. Yes, dear Christians, however irksome the task is, there is a necessity of announcing to you, that there has been of late years a great falling off amongst many of our brethren from that piety which made the Catholics of this island the *sweet odor of Christ* throughout the Church. There is a leaven of the irreligion and anarchy of the times fermenting amongst us, and the state of our affairs has almost come to a frightful crisis. Unless the Almighty should interfere in an unexpected manner, as he has already done more than once, or unless, by a more benign exertion of his mercy, he should infuse into the hearts of Catholics a becoming spirit of union and docility, yet a very little time and

we are a divided people, no longer united in ecclesiastical government or communion. But remember, my dear brethren, that if we are split into two societies, but one of us can belong to the one, holy, catholic and apostolic Church; and that will be the portion, which, in hearing the Churches pastors, listens to Christ himself, that will be the portion, which is found adhering to apostolic Rock and the immovable chair of Peter founded upon it. My heart bleeds with anguish when I consider the many and dreadful evils that must be the consequence of such a fatal schism; but without a spirit of docility on the part of the flock the evil is inevitable. The pastors cannot abandon their trust, because they are to give an account of out souls; they cannot permit infection to come near their folds; they must retain the model of sound words, 2 Tim. i.; they must banish the profane novelties of speech, 1 Tim. vi.; and if any one is contentious, says the apostle, 1 Cor. xi. *we have no such custom, nor the church of God.* It is the part of folly to shut our eyes against impending evils; wisdom directs us to foresee and prevent them.

You have seen that the Church of Christ is the subject of his perpetual care; let this, as I said above, inspire you with love and veneration for it, and with a confidence for its safety

even in the present dreadful storm; but as you must be sensible that the promises of scripture are not made to individuals, but to the Church at large, let this fill you with a salutary fear lest you should be abandoned to the effects of your own pride and self-confidence, the rock on which millions of your brethren have heretofore suffered the shipwreck of their faith. Be cautious how you tamper with the sacred bonds of faith and discipline which unite you with the Universal Church, and with its visible head here on earth. Remember, that though the Church is necessary for you, you are not necessary for the Church. To nourish this love and veneration for the Church, call to mind all the obligations you have, all the endearing bonds that unite you to this your sacred and tender mother. It was she that brought you forth at the baptismal font to Jesus Christ, and to the inheritance of his rich graces and glories by a new and happier birth than that for which you are indebted to your carnal mother. It is she that has enabled the meanest of you, who has not rejected her honors, far beyond the princes of the earth, and has entitled the poorest of you to lift up his eyes to the riches of heaven and to call them his own. It is she that keeps open for

for you the inexhaustible fund of Christ's passion and merits, which she applies to the several diseases and wants of your souls, and that, in particular, spreads before you that seraphic banquet in which you are invited to unite yourselves in the most tender and extatic intercourse with the majesty of heaven. It is this Church to which you have the happiness of belonging that teaches you to sanctify, and that renders sweet and meritorious the pains and labors of your short life. It is she that will stand by you, that will comfort and support you in the distress and agonies of death; nor will she abandon you even beyond the grave, but even there will extend her charitable and efficacious succor to your afflicted souls. It is for this your holy Mother the Church that the apostles have preached and labored, that the holy fathers have written and taught, that the martyrs have shed torrents of blood, and that a million of saints have spent their substance and their lives. The Church, in short, is the only object of the divine complacency here below, the spouse of Jesus Christ, for whose sake alone the world subsists. It is not that kings and princes may aggrandize themselves here on earth; that statesmen may raise temporary structures of politics, and from time

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time new model the face of the earth ; that a few philosophers may indulge in uncertain speculations, and that some millions of our fellow-creatures may eat, drink and sleep like other animals, and leave children behind them to walk in the same unimportant round ; it is not for such purposes as these that the Almighty suspends his justice, and permits himself to be insulted by the sins of the world ; it is that the Church-militant may answer her intended purpose in bringing forth *as many as are pre-ordained to eternal life*, in order to fill the vacant seats at the banquet of eternal bliss in the Church-triumphant.

You cannot, my dear brethren, mistake this Church, which is of such infinite consequence to you in this world and in the next ; she is every where to be found, because she is the Catholic or Universal Church ; and, in fact, she every where bears the name of CATHOLIC written upon her forehead. In quality, therefore, of her true children, be jealous of this glorious distinctive name, by which she and they have in all ages been known. Never acknowledge any other title, except this pure, unmixed, unqualified name of Catholic ; a name which all heretics and schismatics have in vain attempted to ravish from her, but which no

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true Catholic has been found willing to renounce, or desirous to debase by alloying it with any other.

But above all, my dear brethren, remember that the Church to which you belong is holy no less than it is Catholic, and that it is not less incumbent on you to exhibit as another beacon to your night wandering brethren, the mark of sanctity than that of catholicity. Without charity in both its branches, without humility, patience, chastity, temperance, and other congenial virtues, *a faith strong enough to move mountains*, and the strictest union with the only true Catholic Church will avail you nothing; without the practice of these virtues, there is reason to fear that you may not even preserve your faith; for experience shews that the understanding is, in general, the dupe of the passions, and that we become irreligious in proportion as we become fearful of the consequences of believing; or rather, Almighty God withdraws from us the light of faith, when we do not make use of it for the regulation of our morals. However, as the above mentioned virtues are to be obtained, nourished and increased by the practices of a devout life, particularly by prayer, the use of the sacraments, listening to the word of God, flying

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the infection of bad example, and stimulating ourselves by such as is good; hence, dear Christians, be assiduous in improving such advantages as heaven in its mercy has for this purpose put into your hands. Happily for you, my brethren, you are particularly favored with every choicest advantage for attaining to true piety that your circumstances can possibly admit of, so that looking around you, you may exclaim with the Prophet, Psalm cxlvii. *He hath not done thus to every people, nor hath he made known his justices to them.* You have enlightened and zealous pastors to expound the word of God to you, and to lead you by the safest ways to the summit of Christian perfection. You have the holy sacraments laid open to your spiritual wants, and in conformity with the intention of the Church, you are invited often to draw life and health to your souls from these heavenly sources. It is given to you frequently to assist at the all powerful and tremendous sacrifice, which, with the other services of the Church, being performed with due dignity and devotion to excite your fervor, cannot but be a most powerful assistance to you. Finally, instead of the contagion of worldly example, from which by your very situation you are in a manner insulated,

lated, you have subjects of edification before you, in those whose example must be of the greatest weight in your regard. When I contemplate all this, and much more that I now suppress, particularly with relation to the time in which we live, and to other circumstances, I cannot avoid exclaiming with the Prophet, Psalm cxvii. *This is the work of the Lord, and it is wonderful in our eyes.* To him be the glory thereof; but as to the principal instruments in his hands of your enjoying all these inestimable advantages, may their reward not be in the empty voice of human applause, but in the benediction of Jacob; *May God give to thee,* said his inspired father, *of the dew of heaven and of the richness of the earth:* I mean by this, the dew of heavenly grace here, and a superabundance of the good things of the Lord in the land of the living hereafter.

2. The preservation of the Church, so much beyond the period of all human institutions, is, as I observed to you before, a standing miracle, which is the more shining in proportion to the frequency and solemnity with which this event has been predicted. But we may observe that the Almighty, even in the performance of his miracles, generally accommodates himself to the ordinary course of things,

by making use of such natural causes as have a kind of tendency to produce the event in question, however inadequate they would be for this purpose without his special agency. Thus, in the miraculous preservation of his Church, he has given it that form which was best calculated for stability and incorruption; and, like the wise-man mentioned in the gospel, Matt. vii. has founded it upon a rock, against which the winds and waves spend their force in vain. He has built in exact symmetry and proportion the beautiful pyramid of his hierarchy, gradually rising to a point: I mean, he has established that due subordination of the component parts of his Church, from the lowest to the highest, which is necessary for the existence of every society whatever; and to his heavenly host thus marshalled and disciplined, he has superadded a celestial force that renders it invincible against all the myriads of infernal foes which the gates of hell have never ceased, and will never cease to pour out against it. Christ has not left the interpretation and execution of his laws, which has been found impracticable in every system of legislation, to the caprice and self-love of individuals, but has provided a living speaking authority, which he commands us to have recourse

recourse to in case of necessity, and *to hear* under pain of being considered *as heathens and publicans*. In short, he has appointed pastors duly authorized, to direct us in all that relates to the business of salvation, commanding us to *hear them* as we would *hear himself*, and assuring us that any contempt of them redounds on him who has given them their commissions. Luke x. These pastors themselves are amenable to the Shepherd in chief, whom the Master of the flock has commanded not only *to feed his lambs*, but also *to feed his sheep*, John xxi. whom the lambs in other respects are bound to follow. It is this their attraction to one common center which is the principle of their mutual adhesion. It is by their being founded on the rock of Peter, that they partake of that security against the force and arts of hell promised in my text. From what has been already said, you will conclude that it is neither for you nor me, nor for the most learned doctor of the Church, to decide for himself in controverted points of religion, the question each one is to ask is, *what does the Church teach?* This question is to be resolved to him in the first instance by his pastor, and his testimony of the doctrine and tradition of the Church is unquestionably a rule to him

in the first instance, from which it is not lawful for him to depart, but by an appeal to a higher authority; and that must be to a speaking authority, not to a dead letter, in case he is in his conscience persuaded, that his immediate pastors hold a different language from that of the Church, and its living organ in the chair of Peter. Without entering into any contested questions concerning the prerogatives of the tribunal just mentioned, all true Catholics agree that without a formal opposition on the part of the Church, an instance of which has never yet occurred, the doctrinal decisions of the successor of St. Peter properly notified to the Church at large, are a certain proof of its tradition, and therefore are an unerring rule of our faith; all agree, with the modern Father of the Gallican Church at their head, that in every possible division of the Church, that part which is in communion with the See of Peter, is the inheritor of the promises of Christ. These conclusions evidently flow from the very essence of the Churches infallibility, which, without them in the present state of things, would answer no effectual purpose, but would be a mere sounding title; in short, we should be as much at a loss concerning many acknowledged heresies

fies in the two last centuries, and concerning such future heresies we have reason to fear, will from time to time arise, as if no such infallibility had ever been established. Nor is the doctrine above stated that of modern divines alone. The writings of the ancient fathers all teem with the same. I might detain you whole hours were I to repeat the express and invincible texts that occur to this effect; but let the great light of the Western Church, the illustrious prelate and doctor St. Ambrose, speak for the rest, whose words are these, “ He agrees with the Catholic bishops, who “ agrees with the Church of Rome.” *Orat. de Obit Satyr.*

I have intimated that it is not peculiar to the Church to require, but that every kind of civil society requires a due subordination of its component parts, and the existence of an efficient, living, speaking authority in order to explain and enforce its laws. No kind of legislature has yet been found in which the interpretation and the execution of the laws could be entrusted to unauthorized individuals. Under no kind of social contract is it lawful or reasonable to say, the proper judges have decided wrong, I am wiser than they, and under that pretext to take the law into our own hands,

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instead of appealing to a higher tribunal where such a tribunal exists. To convince ourselves of the necessity of subordination and submission for the happiness of individuals, and for the peace and even the existence of society, you need but cast your eyes across that narrow channel before you : in the ruins of that once mighty and religious empire, in the accumulated distress of all ranks of people there, except a few seditious individuals, you will see the dismal effects both of civil and ecclesiastical anarchy.

Already, my dear brethren, you anticipate the application of these practical reflections to the particular perilous circumstances to which you are at present exposed ; you are already convinced by what general means God will preserve those whom he has pre-ordained to perpetuate his holy Church in this nation, should things come to those fatal extremities they now threaten. It is by listening to the direction of our pastors, and in particular to those of the Master Shepherd, who has the care of the whole flock, that we shall be preserved from the infernal wolves. We shall not be at a loss to comprehend their instructions, because in fact they have already spoken and forewarned us ; and the decisions of
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our own upright and enlightened pastors have been echoed back in accents of applause from every quarter of the church to which they have reached, and particularly from the chair of unity and orthodoxy. To say that neither your pastors at home nor those abroad are capable of understanding a formula, the very nature of which is, that it should be level with the meanest understandings, besides being an insufferable insult, is an heretical device, under which Jansenism endeavours to hide her deformity at present; but which the Church of God has exploded in practice each time she has condemned a heterodox, or sanctioned an orthodox proposition. To say that your pastors are averse to your tendering a mere profession of the allegiance you owe your temporal sovereign, is to belie their doctrine, their practice, and their solemn oaths. No, dear Christians, there is not an atom of disloyalty in the opposition your pastors make to that confused, undigested formula, from which as much mischief has proceeded, or may be expected to proceed, as from those other lay doctrinals the *Henotichon* of Zeno, or the *Ecthefis* of Heraclius. There is no real opposition between what is required of you, even at the present time, by God on one hand and by

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Cæsar on the other. I speak in the presence of several noble and respectable personages, who are living proofs that it is possible at this very time to give perfect satisfaction both to the Church and to the State. I speak within walls equally known to, equally respected, and that have been equally honored by Pius VI. and by George III. On this spot I can proclaim the spiritual prerogatives of the Successor of St. Peter, without exciting the jealousy of the British Sovereign; and I can equally inculcate the allegiance due to the Monarch of Britain, without any apprehension of censure, nay, with an absolute confidence of approbation from the Head of the Church. As his Holiness knows that this is not the seat of irreligion or heterodoxy, so his Majesty is convinced that it is not a harbor for sedition or disloyalty. If this be so, and if our duty to the Church and to the State be so perfectly consistent with each other, what, in the name of heaven and earth! are we contending about? Why are brethren with threatening looks and brandished arms drawn up in battle array against each other? O that my humble voice, which however is in perfect unison with those of the venerable prelates now before me, could at this moment reach the ears of every well meaning

meaning Catholic throughout the kingdom, and under that title I comprehend infinitely the greater part of our brethren who are at present engaged in an unnatural and fatal contest with their pastors: Fellow Catholics! I would exclaim, children of the same tender mother! our fellow guests at the banquet of heavenly sweetness and love! our fellow soldiers in the trial of persecution and disgrace for the name of Christ! shall we from henceforward become aliens to each other? shall we give new cause of affliction to our common mother in the day of her greatest sorrow, and a fresh subject of triumph to our common foes? Will you break that bond in which the essence and hopes of our catholicity consists? and all for your attachment to a form of speech, for the sake of a few grammatical phrases, when, as you assure us, we have all the same belief? God knows we are ready to make infinitely greater sacrifices for you, that we may retain you in the bonds of Christian charity and Catholic union. There is no sacrifice we will hesitate to make for this purpose, except that of our consciences, for the rights of which you so strongly plead. There is no duty whatsoever, which either you or our temporal superiors have hitherto point-

ed out as forming part of our civil allegiance, which we will not, as we have already done, again bind ourselves down to, provided our pastors are permitted to fulfil their duty in taking care that we do not thereby trench on the inalienable rights of God and his Church. O my God ! do thou in thy mercy avert the dreadful evils with which thy poor little flock is threatened. *If we have left thy law, and have not walked in thy justices, remember thy gracious promise made to the Church, to visit our iniquities in thy rod, and our sins in thy stripes, but not to remove thy mercy from us.* Psa. lxxxviii. Yes, punish us, if necessary, in our temporal means ; but, O ! remove not our candlestick ; cut not off any part of us from the comforts and blessings we enjoy in thy holy Church.

My brethren, I am sensible I have taken up too much of that time which ought to have been devoted to the awful ceremony that is just going to take place ; I leave therefore to your own observation whatever there is of edification and consolation, whatever there is that calls for your fervent thanksgiving to Almighty God, in the character of the worthy prelates at the altar. With one of them you have been long acquainted ; he is the pastor whose voice

voice you have been accustomed to hear and obey. With regard to the other, I shall barely observe, that he comes to you with the apostolic recommendation of not having taken upon himself, or solicited a charge, which indeed to a thinking Christian is now less than ever an object of ambition. *No one, says St. Paul, Heb. v. taketh to himself the honour, but he that is called of God, like to Aaron.* He comes, however, to you from that quarter where his qualifications for the important ministry are well known; from that quarter which has long supplied you with a succession of saintlike pastors, worthy the seats of the Augustines and the Paulinuses, who thence brought the light of faith to your infidel ancestors, and which has just now sent you another equally beloved and respected prelate, who is destined by heaven to confer the greatest blessings on the cause of religion in this country. In short, he comes to you from the Universal Pastor, whose spiritual authority is confined within no other limits than those of the Catholic Church itself; but to whose immediate and special jurisdiction it is necessary you should be subject, from the loss of the regular ministry amongst you, and from your having no other than what he, in his universal

sal solicitude and bounty has provided you with, as well from other circumstances.

In conclusion, let us accompany the edifying ceremony that is just going to take place with our fervent prayers that the Spirit of God would deign to confer his blessing upon it, not only for the sake of the elect himself, but also for the Churches sake, and for our own sake; remembering that the true pastoral spirit is not more necessary for the prelates themselves, than it is for the benefit of their flocks; inasmuch as *every pontiff taken out from among men is appointed for men.* Heb. v. Hence, as slothful and worldly pastors are the severest of God's judgments on the sins of the people, so such as are pious, zealous, learned and orthodox, are the choicest of his blessings; the great means of our sanctification here, and of our eternal happiness hereafter.

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